Winter 2007

EDUCATION next

A JOURNAL OF OPINION AND RESEARCH

The Whack-a-Charter Game

Thwarting the competition to district schools

JOE WILLIAMS

IN THIS ISSUE:

New Leaders Take on D.C., Adequacy Lawsuits, Private vs. Public Schools, Certification and Quality, Restructuring Dilemmas

CONTRIBUTORS: JAMES GUTHRIE, TYLER CURRIE, JULIE LANDRY PETERSEN, ROBERT PIANTA, SARA MEAD, NELSON SMITH, THOMAS KANE, JOSHUA DUNN, MARTHA DERTHICK

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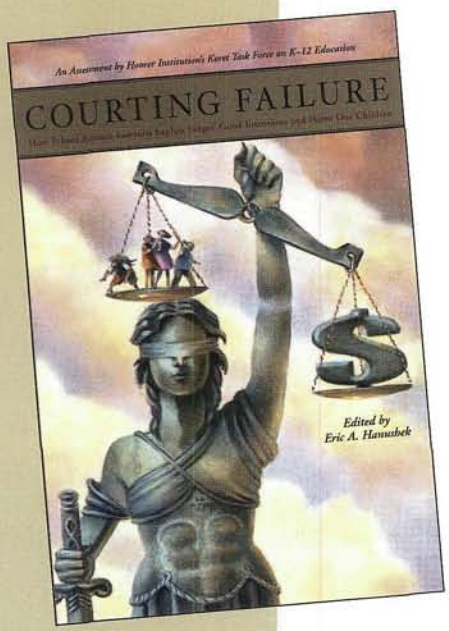

Courting Failure

How School Finance Lawsuits Exploit Judges' Good Intentions and Harm Our Children

EDITED BY ERIC A. HANUSHEK

Lawsuits over the adequacy of school financing have appeared in a majority of states, but no evidence about their potential impact on students has been available. *Courting Failure* assesses recent court actions in school adequacy lawsuits and their impact on student outcomes and shows that judicial actions regarding school finance have in fact not had a beneficial effect on student performance.

Contrary to popular belief, added school resources appear neither necessary nor sufficient to ensure high-quality schools. The essays in *Courting Failure* reveal that simply throwing more resources at the schools has not brought about a solution—and may even be exacerbating the problems. The legal and policy presumptions of the adequacy lawsuits do not hold up to analysis. The expert contributors to this volume call for more-realistic changes centered around accountability, incentives, and more-informed parents and policymakers.

Eric A. Hanushek is the Paul and Jean Hanna Senior Fellow at the Hoover Institution. He serves as a member of the board of directors of the National Board for Education Sciences and is a member of the Koret Task Force on K–12 Education.

Contributors: Williamson M. Evers and Paul Clopton, Eric A. Hanushek, E. D. Hirsch Jr., Alfred Lindseth, Paul E. Peterson, Marguerite Roza and Paul Hill, Sol Stern, Herbert J. Walberg

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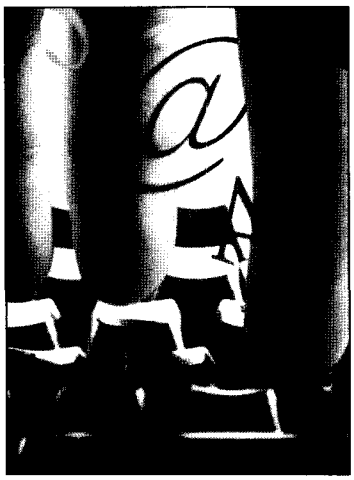

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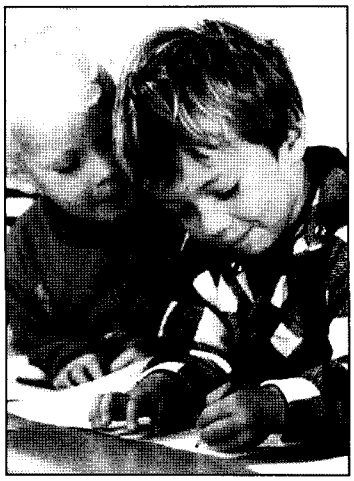

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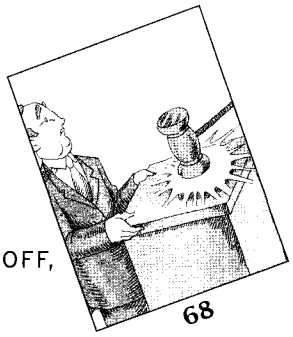
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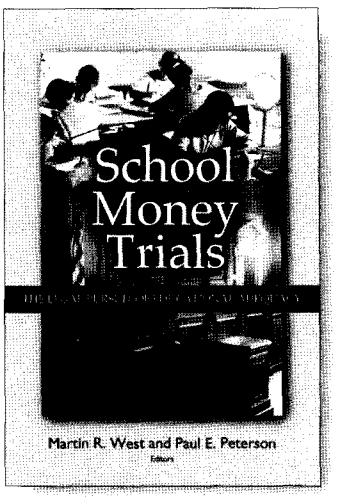

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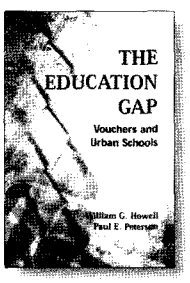

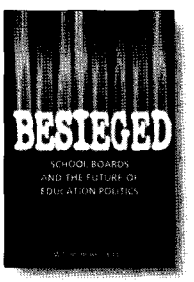

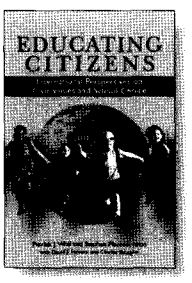

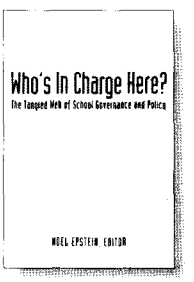

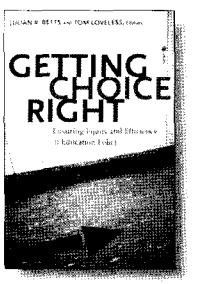

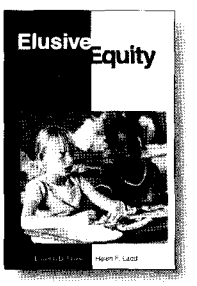

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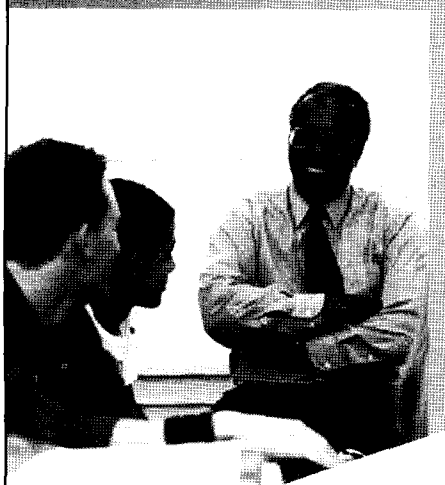

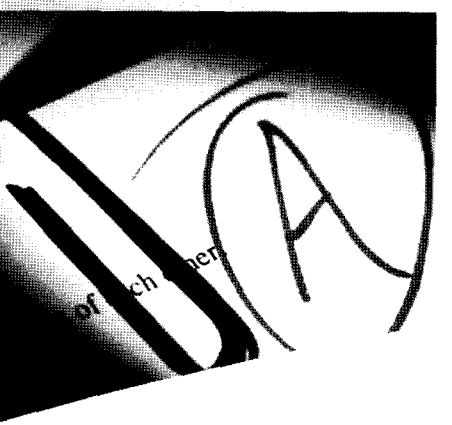

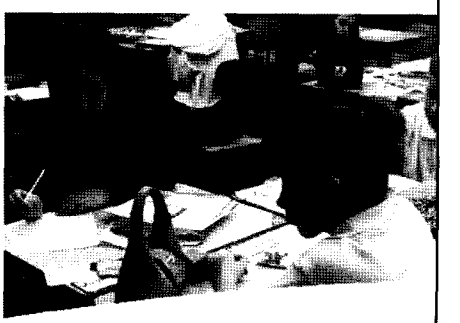

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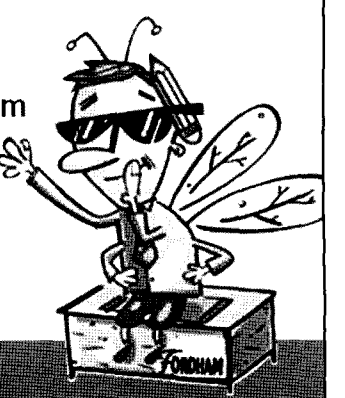

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Misdirected Energy

Schools get an A in resisting reform

How is it that a system can simultaneously master the art of resisting reform *and* stick to the path of least resistance? Such is the conundrum facing public education.

That our schools are impervious to fundamental change (fads-of-the-month notwithstanding) is well established. Joe Williams ("Games Charter Opponents Play," p. 12) recounts the imaginative means school districts find to strangle promising reforms, in this case charter schools. Couldn't defeat them in the legislature? Then bleed them with a thousand little cuts. Can't halt them with a state-mandated cap? File a frivolous lawsuit. Can't persuade parents that they aren't worth choosing? Ground their buses so students can't get to the schools. Though twisted, many of these actions are inventive and energetic, some even entrepreneurial.

Shielded from the free market's incentives, public sector officials learn to "make nice" rather than make unpopular decisions.

But push the education system to address its own widespread failures and suddenly it becomes limper than a lunchroom Tater Tot. Consider teacher quality. Virtually every school district in the nation possesses the authority to fire ineffective teachers within their first year or two on the job, without much difficulty. As Thomas Kane and his colleagues argue ("Photo Finish," p. 60), the effectiveness of a teacher can be predicted early on. Letting the weakest ones go makes perfect sense and requires no change in law or collective bargaining agreements. Why, then, don't districts routinely dismiss those rookie teachers who don't have the right stuff? Secure on the path of least resistance, administrators typically find it is just too much work to fire someone and find a replacement. Instead, they keep them all—good, bad, and indifferent. Later on, their hands are tied. They're "stuck" with poor performers.

Consider the fate of failing schools under the No Child Left Behind Act. While the law's rhetoric is John Wayne tough, its reality is Tiny Tim timid. Districts are expected to "restructure" their chronically low-performing schools by firing the entire staff, reopening as a charter school, or contracting with private managers. Most instead opt for soft reforms like sending in an instructional "coach" or tweaking the curriculum. As both Sara Mead and Nelson Smith lament (*forum*, p. 50), it's a tragic lost opportunity. How to explain districts' actions? They're on the path of least resistance. It's just too hard to close down a school and launch a "fresh start."

To be sure, such bumbling behavior has long been associated with bureaucracies. Shielded from the free market's incentives, public sector officials learn to "make nice" rather than make unpopular decisions. But in K–12 education, "accountability" was supposed to change all that. The new system of rewards for strong performance and tough sanctions for failure was meant to motivate officials to do the difficult work, make the hard choices, upset the applecart.

So why isn't it working? Why don't newly accountable principals, driven to raise student achievement, dismiss their ineffective rookie teachers? Why don't newly accountable superintendents, committed to "leaving no child behind," shut down their failing schools? Why hasn't accountability closed off the path of least resistance?

There are two obvious explanations. First, accountability as we know it is still too weak-kneed. Sure, there's plenty of sunlight and shame, with schools labeled "in need of improvement" and editorial writers wringing their hands. Yet very few public school employees—from the superintendent to the soup server—ever lose their jobs for poor performance. We need more head rolling, and less eye rolling.

Second, accountability is not enough. Competition via school choice is the other weapon in the "tough love" arsenal, and until it's wielded at large scale, we are unlikely to see real results.

Which brings us back to charter schools. Through the eyes of change-resistant bureaucrats, they present a mortal threat to the very culture of the public education system. Were they to grab significant market share, they might "tip" K–12 education into an age of real accountability. And that's a path the system can be expected to blockade with all the entrepreneurial zest it can muster. One only wishes all that energy could be put to a better purpose.

— Michael J. Petrilli

MISSION STATEMENT In the stormy seas of school reform, this journal will steer a steady course, presenting the facts as best they can be determined, giving voice (without fear or favor) to worthy research, sound ideas, and responsible arguments. Bold change is needed in American K–12 education, but *Education Next* partakes of no program, campaign, or ideology. It goes where the evidence points.

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Teacher Gender

Let's agree that you can't generalize from 8th graders, in the throes of puberty, to the effects of matching student and teacher gender at other ages. More research is needed. Now let's move on.

What if Professor Dee ("The Why Chromosome," *research*, Fall 2006) is right? What policy implications follow?

Matching girls with female teachers and boys with male teachers is both impractical and undesirable. Most teachers are female, and boys will come up short. We want boys to become adults who are able to work well with women, and we want girls to become adults who are able to work well with men. We all recoil from the anti-egalitarian idea that we can be comfortable and achieve at our best only when we are with "people like us," in terms of sex, ethnicity, religion, social class, politics, or anything else.

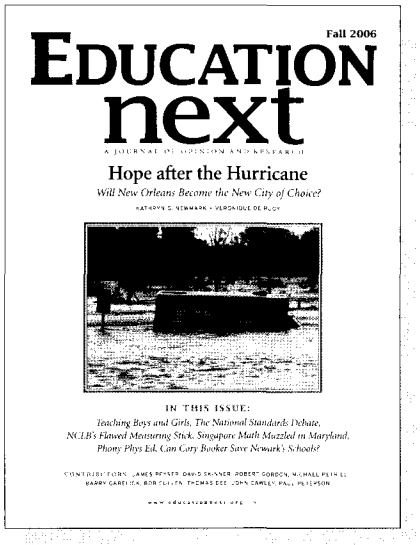
Since boys are about a grade level behind girls in reading and writing and girls have just about closed the gap in mathematics and science, I'll focus on raising the achievement of boys. What might male teachers be doing in their classrooms that female teachers are less likely to do?

I offer a number of testable hypotheses, which come from the work of Michael Gurian, William Pollack, Leonard Sax, Kathy Stevens, Michael Thompson, and Peter West. These ideas emerge from knowledge of the biology and psychology of boys and the craft knowledge of teachers, what Lee Shulman has called the "wisdom of practice."

1. Boys learn more when teachers talk less, especially when teachers avoid great torrents of repetitive words.

2. Boys learn more when teachers use lots of joking and humor, the currency of male social life.

3. Boys learn more when teachers themselves are captivated by the great, universal themes that engage male minds and hearts—facing adversity and danger, embarking on great adventures,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Hope after the Hurricane
Will New Orleans Become the New City of Choice?
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Teaching Boys and Girls, The National Standards Debate,
NCLB's Flawed Measuring Stick, Singapore Math Muzzled in Maryland,
Phony Phys Ed, Can Cory Booker Save Newark's Schools?

attaining strength and competence, fighting battles for good and for glory, testing yourself and becoming a hero, and learning how to make the physical world do your bidding.

4. Boys learn more when teachers are neither awed nor enraged by boys' physicality and displays of anger, and respond in calm and measured ways, using such strategies as assigning activities that help boys calm down and regain control.

5. Boys learn more when the teacher does not humiliate them by forgetting that genuine vulnerability and lack of confidence lie underneath their cocky displays of toughness and bravado.

6. Boys learn more in structured, authoritative educational environments, under clear teacher control, which provide them with safety and security from the power plays and putdowns of other boys.

7. Boys learn more when competition gets them excited, when they need to learn so as to do well for their team, when they get to be active, when they get breaks, when they are having fun, and when teachers make the point of the learning activity clear.

8. Boys learn more when teachers praise and mentor them and when they believe that the teacher understands, likes, and respects boys.

What we need is not gender matching but greater understanding of the biological differences between males and females and the different psychological worlds each sex inhabits.

JUDITH KLEINFELD
Professor of Psychology and Director of Boys Project
University of Alaska, Fairbanks

I have two major objections to Professor Dee's assumptions and methods. First, he asserts that "the majority of arguments for single-sex schools and classrooms focus on the effects on interactions among students." That statement may have had some validity 20 years ago, but minimizing distractions is no longer an empirically sound justification for single-sex education (and perhaps it never was). Single-sex education is more likely to have positive outcomes for 2nd-grade boys than for 11th-grade boys. And yet 11th-grade boys are, presumably, more distracted by 11th-grade girls than 2nd-grade boys are by 2nd-grade girls.

Recent research demonstrates that *girls and boys learn in profoundly different ways.* These differences are based in part on hardwired differences in how girls and boys hear and see, which in turn derive from hardwired differences in the cochlea and retina, respectively. Single-sex education works not because it minimizes distractions but because it creates an opportunity for knowledgeable teachers to take advantage of the differences in how girls and boys learn.

Second, Professor Dee's analysis is based on a survey of teachers who had no training in best practices for teaching girls and for teaching boys. Women can learn to teach boys, and men can learn to teach girls if teachers have appropriate training in evidence-based best practices: that requires 7 to 14 hours over 1 or 2 days. Indeed, some of the

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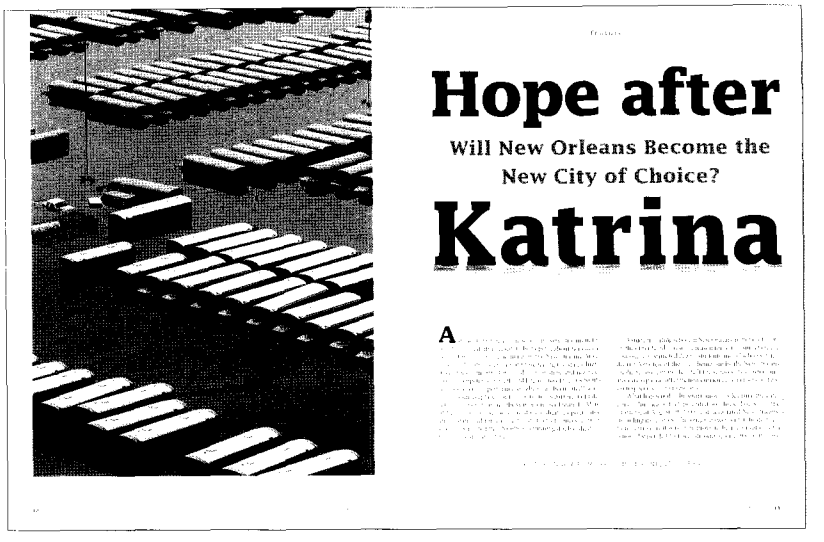
most effective teachers at our boys' schools are women, and some of the most effective teachers at our girls' schools are men.

Professor Dee conjectures that perhaps we should have more men teaching boys, and women teaching girls. I recommend, instead, that we focus on training men how to teach girls, and training women how to teach boys.

LEONARD SAX
Executive Director
National Association for
Single Sex Public Education



Thomas Dee replies:

Both Dr. Sax's and Professor Kleinfeld's otherwise insightful commentaries seem to take as their motivation a dramatic policy prescription that I have explicitly not advocated, namely, the gender matching of students and teachers. My study does indicate that 8th graders in the National Education Longitudinal Survey (1988) performed better on a variety of outcomes when assigned to a teacher of their own gender. However, I am also careful to point out that there are a variety of rich, contextual explanations for why these "reduced-form" effects exist. As both letters indicate, one provocative explanation is that boys and girls have distinct learning styles, which may be more effectively accommodated by same-gender teachers *as they are currently trained.* However, there are also other possible explanations for these results (e.g., role-model effects and stereotype threat). A convincing research base that discriminated among the relative contributions of these various phenomena would provide the basis for targeted and effective interventions.

Hope in New Orleans

Kathryn Newmark and Veronique de Rugy's brief mention of the comparatively rapid rebound of Catholic schools in New Orleans after Hurricane Katrina ("Hope after Katrina," *features*, Fall 2006) casts the private school sector as "more nimble" than the public system. The superintendent of Catholic schools in New Orleans, Fr. William Maestri, offers an alternate explanation: "We believe that schools are magnets of hope in the midst of despair, and by reopening them, you ensure that people *will* come back."

Forty-two days after Katrina devastated the city, 45 percent of the 107 Catholic elementary and high schools were back in operation, and 80 percent of the nearly 50,000 students were back in school classrooms either in the archdiocese, which embraces eight civil parishes (counties) in southeast Louisiana, or neighboring dioceses. By the end of January 2006, 75 percent of the schools had reopened and 86 percent of the total student population had returned. A greater contrast to the public schools' record could hardly be imagined. Making the archdiocese's recovery all the more remarkable is the fact that its schools suffered losses in the hundreds of millions of dollars.

Catholic leaders said they never entertained doubts they could bring the school system back. The archdiocese pledged to accept any Catholic or public school students, whether or not they could pay the tuition. Some 300 public school students accepted the offer. The archdiocese has since applied for, and is hopeful of getting, displaced student tuition reimbursement from the federal government's hurricane relief fund. The Catholic school system also decided to return tuition money to the family of any student forced to relocate to another school. "This was a fundamental moral point for us," noted Fr. Maestri. "We couldn't keep tuition for services that weren't rendered, nor could we have parents whose children relocated to other schools pay tuition twice." The Catholic schools have proved an extraordinary beacon of hope for the future of New Orleans.

RANDY YOUNG
Freelance Writer

Kathryn Newmark and Veronique de Rugy have made the most positive case for school choice in New Orleans. They could be right; I hope so. But there are problems they didn't acknowledge.

First, the state of Louisiana's Recovery District, which wanted to

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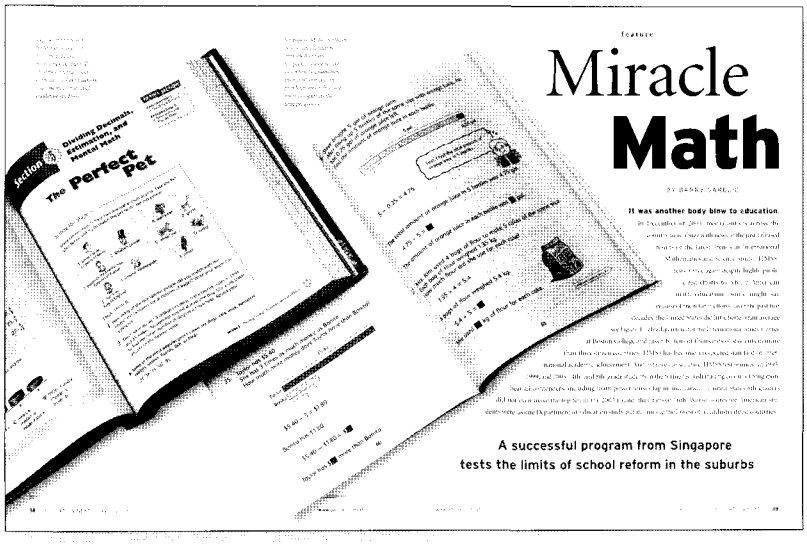

charter all the schools under its control, couldn't find enough competent charter-school operators. Indeed, the National Association of Charter School Operators judged that only a small minority of applicants could be trusted to run a school, limiting the growth of choice in New Orleans.

Second, unable to charter all the schools, the Recovery District opened non-charter schools of its own. The people running those schools weren't required to write charter applications, and I suspect few of them could have done it well. Thus, the state now oversees charter schools, plus other schools that probably couldn't have met the standards charters were held to. The charter schools can be closed if they don't perform well, and their staffs have jobs only as long as the schools survive, but it is not clear whether the same is true of district-run schools. Preoccupied with the need to open schools any way it can, the state is in danger of reproducing what New Orleans had before—schools that didn't work and nobody wanted.

Third, national foundations really haven't contributed much to the effort. The school redevelopment process has been underresourced, in my view. It is not too late for some big foundations to help out.

Fourth, it isn't clear whether the Bring New Orleans Back model will ever be used. The state will eventually return all the schools to local control. If the new local authority looks like the one Tulane president Scott Cowen's group devised, and all the schools can be replaced if they don't work, then New Orleans could become a model school district.

Things could work out as well as Newmark and de Rugy predict, but I wouldn't count on it.

PAUL HILL
Research Professor of Public Affairs
University of Washington

Miracle Math

In "Miracle Math" (*features*, Fall 2006), Barry Garelick contends that the Montgomery County Public Schools (MCPS) briefly piloted Singapore Math and then abandoned the math curriculum for budgetary reasons. Nothing could be further from the truth.

MCPS incorporated the greatest strengths of Singapore Math into its revised mathematics curriculum in 2001, and the results have been excellent. The system's new math curriculum is aligned with state, national, and world standards and has led to unprecedented student achievement. (Readers may see the unabridged version of Edwards's letter at www.educationnext.org for more details.)

The article highlights one of Singapore Math's strategies, called "bar modeling," as an ideal way to solve math word problems. MCPS agrees and has incorporated bar modeling into the revised curriculum. The article also notes that the Singapore Math curriculum is sequential in nature and builds on students' prior knowledge. The MCPS revised curriculum uses the same principle and techniques. Concepts of fact families are integral to Singapore Math, and one will find those same concepts in the MCPS math curriculum as well.

What Garelick didn't discuss is how Singapore Math fails to fulfill the needs of American math education. For example, the measurements used in Singapore Math are metric. Therefore, if only Singapore Math textbooks are used, MCPS would have to provide additional materials to teach measurement. Singapore Math has little focus on computation with common fractions, a concept that is needed when solving customary measurement problems. Finally, Singapore Math does not include sufficient material on statistics and probability.

MCPS learned a great deal from its Singapore Math pilot and used its concepts significantly in the revised curriculum. Unfortunately, Garelick didn't demonstrate a mastery of the "math facts" in Montgomery County in his opinion piece, and that is a disservice to the readers of *Education Next.*

BRIAN EDWARDS
Director
Public Information Office
Montgomery County Public Schools

Barry Garelick replies:

Mr. Edwards's statement that "the system's new math curriculum ... has led to unprecedented student

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achievement" would make sense only if there were a baseline for comparison. According to [former MCPS parent] John Hoven, "Superintendent Weast terminated the long-standing Montgomery County Public Schools (MCPS) math testing program that could have provided a basis to judge his success or failure against his predecessors."

MCPS-style "statistics and probability" does not teach the basics of how to make reliable statistical inferences from imprecise data. Singapore Math (SM) does that in high school; MCPS math never does.

The legacy of "bar modeling" from the SM pilot shows up in MCPS now only as a passing mention in teacher's guides. This is not enough to get across the nuances and techniques for students to solve the multistep problems in Singapore Math.

Finally, Mr. Edwards's statement that "Singapore Math has little focus on computation with common fractions" is inaccurate. Singapore Math covers fractions extensively. Here is a problem from the 5th grade text: "3/7 of the apples in a box are red apples. The rest are green apples. There are 24 green apples. How many apples are there altogether?" And here is a question for Mr. Edwards: How many MCPS 5th graders can solve that problem?

PE in Schools

The National Association for Sport and Physical Education (NASPE) is pleased that research ("Not Your Father's PE," *research*, Fall 2006) is being done to study the impact of physical education on individuals' participation in physical activity and their weight status. However, the purpose of physical education is broader than those two outcomes. As defined by the National Standards for Physical Education (NASPE, 2004), desired outcomes also include the development of knowledge and motor and behavioral skills, and the valuing of physical activity for health, enjoyment, challenge, self-expression, and/or social interaction. The goal of high-quality physical education is not just to increase physical activity for a week, but rather, for a lifetime.

This exploratory study asks some important questions, but its results should be viewed tentatively. The article assumes that whatever policy is established at the state level will equate to what happens in the physical education classrooms across each state. However, education in this country is locally controlled. The authors are making a big leap from state-level policies to student reports of active time in physical education classes without examining the intervening steps, such as policies set by school districts, school requirements, and the number of available minutes in a class period. Additionally, the combination of two data sets (i.e., from the "National Youth Risk Behavior Survey" and the "Shape of the Nation Report") makes it difficult to interpret the study results.

To turn around Newark schools, Mayor Booker has to take bold actions and willingly be held accountable by the public for the results.

NASPE hopes that the study, and responses to it, will lead to additional research on the long- and short-term outcomes of high-quality physical education programs.

JACALYN LUND
President, NASPE

CHARLENE R. BURGESON
Executive Director, NASPE

Newark's Cory Booker

David Skinner's article ("Home Is Where the Heart Is," *features*, Fall 2006) provides excellent coverage of the challenge facing Cory Booker, the newly elected mayor of Newark, New Jersey, in his effort to revitalize the school district. Newark's school system encompasses nearly every structural impediment possible, including a tradition of patronage, mismanagement of resources, large numbers of failing schools, and lack of public trust. The situation clearly calls for direct mayoral involvement. As we've learned from other urban systems, the key lies in the mayor's willingness to assume responsibility for the performance of the district.

To turn around Newark schools, Mayor Booker has to take bold actions and willingly be held accountable by the public for the results. Is Mayor Booker willing to spend political capital to leverage broad support and harness community-wide resources for school reform? He will need to broaden the expertise of the school management team, create competition for the traditional public schools, ensure incentives for school personnel to be responsive to their student clients, implement academic standards, and weed out incompetent teachers and principals. He will benefit from state legislation that enables him to take over the school district and frees him from regulatory and collective bargaining constraints during the reform's start-up phase.

If Mayor Booker integrates school improvement into his overall strategy to enhance the quality of life in Newark, he will join the handful of mayors who have shown that improving the schools is good electoral politics. Mayoral leadership can reduce the institutional insulation of public schools, sharpen the focus on accountability, and improve the organizational and fiscal conditions to support teaching and learning. When mayors are committed to leading

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public schools, the entire school system tends to benefit. The children of Newark are waiting for the mayor to take this decisive step forward.

KENNETH K. WONG
Director
Urban Education Policy Program
Brown University

National Standards

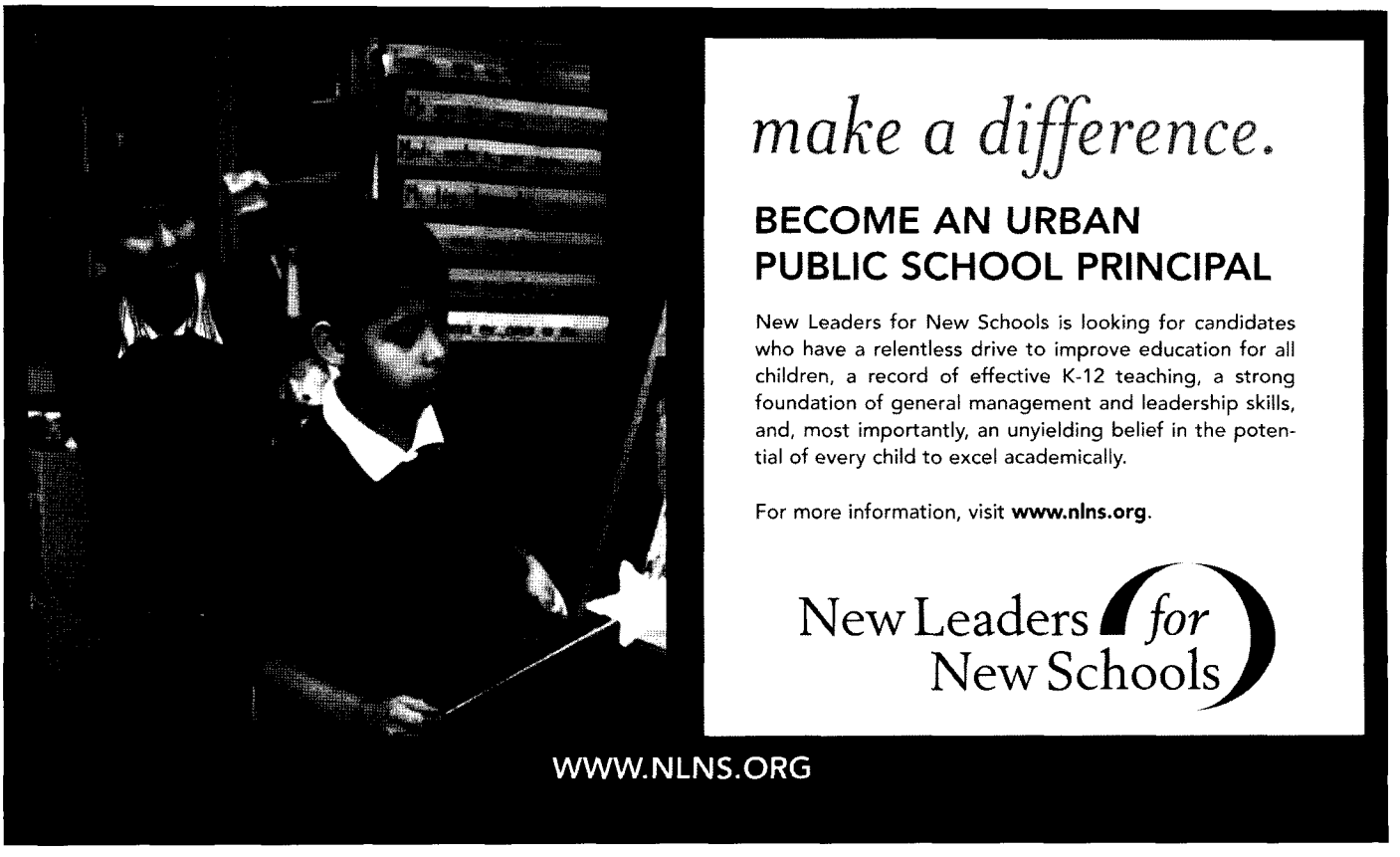
The appeal of national standards for K–12 public education is understandable ("National Standards," *forum*, Fall 2006). The notion of a set of academic aspirations for all America's children is neat and clean and simple. And it provides an antidote to the confusing and often confused landscape of academic standards and assessments assembled by the states. Given the global competitiveness America must maintain, national standards seem commonsensical. We are a nation after all, and a nation should coalesce around a shared sense of what its students need to know in order to compete and succeed in the 21st century.

But beneath the veneer of the appeal there are problems, and perhaps even threats. It is fair to ask if national standards and assessments might start us down the road to a national K–12 system of public education, effectively turning on its head a system defined today by state and local policymakers and resources.

There may be something to be said for such a scenario. If the current system were getting the job done, this discussion probably would not be taking place. But nationalizing public education will surely widen the already troubling gulf between the American people and their public schools.

Most people view public education through the prism of their own experiences. National standards might reinforce the notion that all that matters is "how well my child and his school are doing" and make it even more difficult to get Americans to ask an equally, if not more, important question: "How well is my nation doing?" Rather than seeking a national remedy for the problems that afflict the system, we should seek to refresh and restore the public's relationship with its schools.

GENE HICKOK
Senior Policy Director
Dutko Worldwide
and former U.S. deputy secretary of education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Affirmative Action Docketed

The Supreme Court takes up race-based school assignment

BY JOSH DUNN AND MARTHA DERTHICK

A relatively small proportion of the nation's school districts—fewer than 1000 out of 13,500—practice affirmative action, voluntarily using race in the design of attendance zones or in deciding who is admitted to selective schools. The Supreme Court several times refused to consider the constitutionality of this practice, but in June 2006, after extended internal debate, the Court shifted and granted certiorari in two cases.

One case before the Court is from Seattle, which has a policy of open choice for high-school attendance and uses race, along with other factors, as a tiebreaker when demand exceeds the number of spaces available. The goal of the policy is to assure that no school deviates by more than 15 percent from the district's overall racial composition, which is 60 percent minority (African American, Asian, and Hispanic).

Insofar as school boards offer choice, a race-blind lottery could be an acceptable way to allocate spaces in oversubscribed schools.

The other case is from Jefferson County, Kentucky, which includes Louisville. There the school board tries to keep black enrollment in most schools in the range of 15 to 50 percent by encouraging or compelling white students to attend schools in black neighborhoods and vice versa. The district, which has a black enrollment of approximately 36 percent, is unusual in that it includes suburbs as well as the central city. Its ambitious policy was framed, unlike Seattle's, against a background of judicially mandated integration. Both suits were brought by white parents whose children failed to get into the school they sought.

To survive, racial preference policies must pass "strict scrutiny," the Court's most exacting level of analysis. Racial classifications are "inherently suspect" and thus must be narrowly tailored, serve a legitimate governmental interest, and use the least restrictive means possible. Federal circuit courts upheld both of the challenged plans.

Liberals fear and conservatives hope that the reconstituted court of Chief Justice John G. Roberts will rule against racial preferences. In a different context, Roberts has already shown an aversion to racial classification. In a voting rights case from Texas, he wrote, "It is a sordid business, this divvying us up by race." Samuel Alito is widely expected to be more skeptical of racial classification than the justice whom he replaced, Sandra Day O'Connor. She was the swing vote and wrote the opinion in *Grutter v. Bollinger* (2003), in which the Court upheld narrowly tailored affirmative action in higher education.

Even if the Court should reject affirmative action, that would not invalidate existing lawsuits that are based on claims of unconstitutional racial segregation. Federal judicial decrees that mandate integration remain in effect in approximately 300 districts, enforced by the Justice Department's Civil Rights Division and the issuing courts. These are only the desegregation cases to which the United States is a party. When we queried the Department of Justice, we were told that it would be hard to determine the total number of active desegregation cases.

American parents like to choose where their children go to school. Those who are able have ordinarily done this by selecting their residence, given the long tradition of geographically defined districts and limited opportunity to cross district boundaries. But choices are multiplying. All states but Alabama, Maryland, North Carolina, and Virginia have open enrollment laws that offer varying degrees of intra- and interdistrict choice. The No Child Left Behind Act requires districts to offer choice to children in schools found to be failing. Magnet schools, charter schools, and vouchers have proliferated. Underlying the affirmative action cases is the question: to what extent should the widening scope for choice be regulated on racial grounds?

If the Court rules against affirmative action, the local districts that practice it will be compelled to search for race-neutral methods of pupil assignment. This may mean a return to geographic districts, with results that will depend on residential patterns and the politics of line drawing in particular cities. Insofar as school boards offer choice, which we would expect to be a popular position for them to take, a race-blind lottery could be a fair, practical, and constitutionally acceptable way to allocate spaces in oversubscribed schools.

Josh Dunn is assistant professor, the University of Colorado–Colorado Springs. Martha Derthick is professor emeritus, the University of Virginia.

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GAMES Charter Opponents PLAY

How local school boards —and their allies— block the competition

Considerable attention has been paid to the most blatant barriers that public charter schools face. By lobbying against good charter legislation and fair funding (see Figure 1), financing anti-charter studies and propaganda, filing lawsuits, and engaging the public battle of ideas, teacher unions and other charter opponents openly wage what might be called an "air war" against charters.

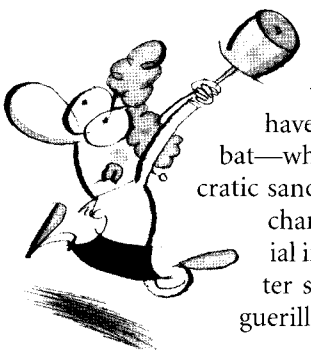

ILLUSTRATION / HAL MAYFORTH

But there is also evidence of a perhaps more damaging "ground war." Interviews with more than 400 charter school operators from coast to coast have revealed widespread localized combat—what one administrator called "bureaucratic sand" that is often hurled in the faces of charter schools. Indeed, as a 2005 editorial in the *Washington Post* described charter school obstruction in Maryland, "It's guerilla turf war, with children caught in the middle. Attempts to establish public charter schools in Maryland have been thwarted at almost every turn by entrenched school boards, teachers unions and principals resistant to any competition."

The goal appears to be to stop charter schools any way possible. A decade after Massachusetts passed its charter school law as part of the Education Reform Act of 1993, city officials in North Adams, Massachusetts, sued the state Department of Education, challenging the constitutionality of charter schools. Citing a 150-year-old clause in the state constitution, the city claimed all public school money had to go to schools that are controlled by "public agents." The suit was later dismissed but shows the lengths to which local interests will go to stop the schools or at least slow them down.

Today, more than 1 million students are enrolled in public charter schools in the 41 states (and the District of Columbia) that have charter laws, with almost 4,000 charter schools in all. Most, if not all, of these schools have encountered some

BY JOE WILLIAMS

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form of bureaucratic resistance at the local level. That resistance may take place at the school's inception, when it first looks to purchase a building and comply with municipal zoning laws. It may come when opponents play games with a school's transportation or funding, or when legal barriers are tossed in the way, or when false information about charter schools is widely disseminated. Despite the obstacles, many charter schools are thriving. It's worth taking a look at the forces on the ground that would have it otherwise and the myriad ways they attempt to stymie the charter school movement.

No-School Zone

Often the most painstaking and difficult parts of launching a charter school are locating, purchasing, and maintaining the school building. Many charter opponents believe that if they can sufficiently complicate this nascent stage of a charter school's life, they will have dealt a major blow to its future success.

In Albany, New York, opponents have used the city's zoning commission to halt charter school growth. When Albany Preparatory Charter School requested a variance on property it was eyeing, opponents appeared before a public hearing about the proposed school building and used the opportunity to argue against charter schools in general. Both the city and the board of zoning appeals denied the variance request in February 2005 on grounds that the proposed building was in a location that was not suitable for a school. It wasn't difficult for the charter school to prove that the decision was unfairly "arbitrary and capricious," however. The building that Albany had deemed unsuitable for a school had been, for more than 70 years, Albany's very own Public School 3. In December 2005, State Supreme Court Justice Thomas J. Spargo gave the city 60 days to approve the variance request.

That same month, the Albany school system discussed ways to prevent another school, the Green Tech Charter High School, from opening. The school board voted to have Superintendent Eva Joseph review possibilities for taking the property by eminent domain so the district could seize the land before the charter school could be built. As the *Albany Times Union* reported, M. Christian Bender, chair of the proposed school's board of directors, remarked, "Two words come to mind—laughable and desperate." The school is expected to open in September 2007.

Albany's story is not unusual. Playing games with facilities and zoning is a powerful way to get charter schools to delay or abandon plans to open. Certainly some zoning boards resist on principle any new land use that may increase traffic or noise, but blatant political hostility is quite common. Why are local boards hostile to charter schools? Some may view charter schools as a threat to local traditions and long-standing power-sharing arrangements. One Ohio charter school operator suggested that appointees to zoning commissions in her area tend to be eager political up-and-comers. To build political capital, they're often willing to deliver for the public school systems. And those systems don't want charter schools competing for students and dollars. "Especially if you are a Democrat, standing up to a charter school can help you make a name for yourself in the most important political circles," she said.

Charter opponents understand that zoning commissions and boards of appeal have the power to halt new charter schools in their tracks. All over the country, particularly in the suburbs, zoning issues have been used to thwart attempts to open charter schools. To be sure, some cases involve garden variety "Not In My Back Yard" resistance to the increased traffic flow and daily bustle new charter schools bring. But often the opposition is blatantly political. When Lyndhurst, New Jersey mayor, James Guida, an opponent of charter schools, proposed zoning changes in 2001 that would require school lots to be a minimum of 1.5 acres in size, it stymied at least one charter school plan. Guida talked about the school with a *Bergen Record* reporter: "We didn't target it, but if [the zoning law] hits it, so be it."

Playing games with facilities and zoning is a powerful way to get charter schools to delay or abandon plans to open.

In a similar scenario, Englewood, New Jersey, officials wreaked havoc on the Englewood Charter School by abruptly rezoning the site of a converted warehouse that the school was planning to use. The change prevented elementary schools from operating on the location. "They passed zoning

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changes to specifically exclude us from buildings," said charter school organizer Paul Raynault.

In 2000, California voters approved Proposition 39, which requires that unused public school buildings be made available to public charter schools. Some districts have simply chosen not to follow the law, which gives public charter schools the right of first refusal. Two charter schools in southeast San Diego, Fanno Academy and KIPP Adelante Academy, filed a lawsuit against the district in 2005 accusing school officials of "blatant non-compliance" because classroom space was denied to charter schools and given instead to private schools that could afford to pay higher rent.

The San Diego lawsuit, filed with the help of the California Charter Schools Association, contends that districts usually sabotage charter schools in one of three ways: claiming a facilities request is incomplete and therefore denying it; offering sites that are impractical; and outright denial of the facility request. Eight out of nine charter school applications for space in San Diego in 2005 were denied, even though all completed the necessary paperwork for requesting classroom space. Before suing the district, both Fanno and Adelante reportedly sought to hold meetings with the agency to discuss their options. After several months without a response, their requests were denied. Early in 2006, the district had declared invalid requests from 24 charter schools seeking space declaring that none properly explained how the school's projected enrollment was determined. That level of detail hadn't been required on previous applications.

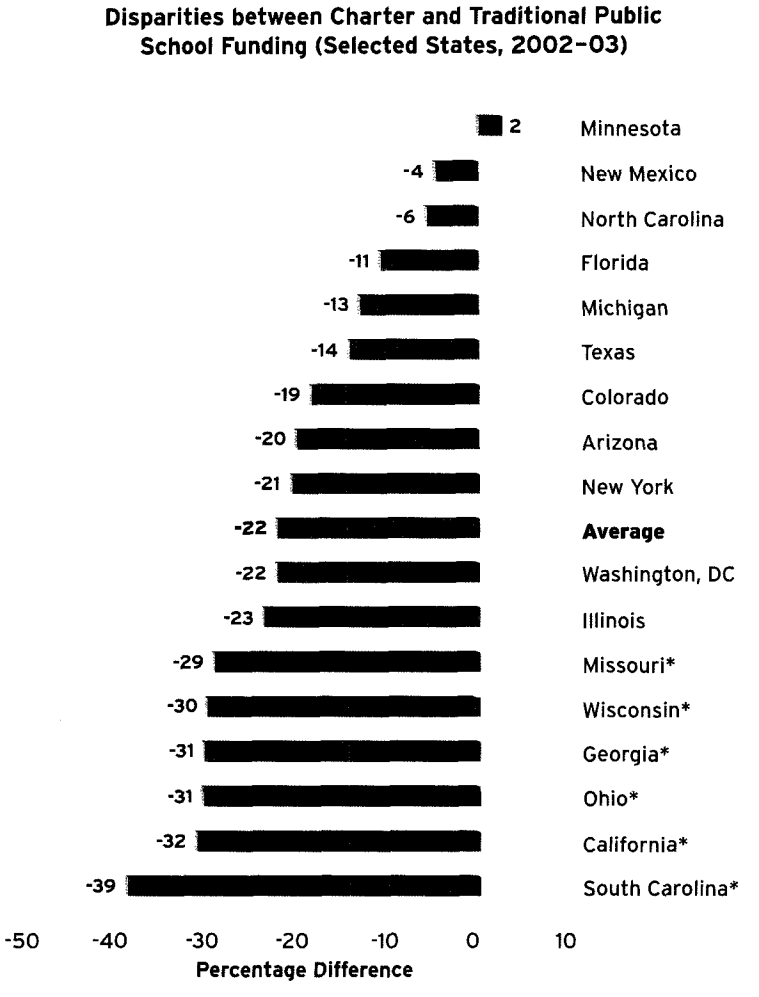
"This feels like political posturing," said Luci Flowers, principal of the Albert Einstein Academy Charter School. "I feel like we are pawns in a political game."

Sometimes hurdles for charter school facilities are thrown up not by districts, but by competing private-school interests. In Brooklyn, New York, the founders of the Explore Charter School signed a 10-year lease in 2002 for a property across the street from the St. James Catholic Cathedral. The property was co-owned by a private landlord and the Diocese of Brooklyn. The private landlord signed off on the lease, but just weeks before the school was scheduled to open, the diocese began unraveling the deal. The 10-year lease was slashed to two years, forcing school leaders to go back to the nearly full-time job of finding a suitable long-term facility.

Why the sudden resistance from the diocese? The church said it had new concerns that sex education might be taught in the public charter school. But Morty Ballen, the charter school's founder, claimed that a lawyer for the diocese told him that it was not the church's policy to support charter schools. "It's a hunch that we represent competition to the parochial schools," Ballen said. "It's unfortunate, because we

Fair Funding? (Figure 1)

Charter schools across the country receive less funding than regular public schools.



* Statewide data were unavailable. Difference is estimated from large districts in the state.
Note: Average is across the 17 states included in the study.

SOURCE: Thomas B. Fordham Institute, "Charter School Funding: Inequity's Next Frontier," August 2005

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all have the same goal—to provide kids with a good, solid education."

You Can't Get Here from There

Using transportation as a weapon against charters is particularly harmful to those charter schools that have longer school days and years than traditional public schools. "Transportation is huge," commented Jamie Callendar, a former Ohio legislator. "In the first few years the districts would outright refuse to provide transportation. Now they make it as inconvenient as possible."

In the first few years the districts would outright refuse to provide transportation. Now they make it as inconvenient as possible.

In Ohio, students attending nonpublic and charter/community schools are eligible to receive transportation services from the local district if they and the school they attend meet certain criteria. The local district can, however, declare providing eligible students with transportation "impractical" for a variety of reasons and issue payment instead. In July, the Columbus Public School district announced its intent to notify 1,384 private and charter school students that it would be "impractical" to transport them to school on district school buses. Instead, students would be given a $172 check toward providing their own transportation to and from school—less than $1 per school day.

Similar scenarios play out all over the country. For nearly four months of the 2005–06 school year, the school bus belonging to the Ross Montessori School in Carbondale, Colorado, sat unused in the school's parking lot, another victim of the below-the-radar war against public charter schools.

The K–6 school paid $25,000 for a 78-passenger turbodiesel school bus in the fall of 2005 with high hopes that it would make it easier for students—particularly Latinos—who didn't live close to the school to enroll. Critics at the nearby Roaring Fork School District, who had long opposed the charter school's existence, had complained publicly that Ross Montessori didn't serve its share of Latino students. The administration of Ross Montessori believed the bus would make it easier for Latino families to select the school.

"I thought this would be a solution," said Mark Grice, the school's director. Instead, as the bus sat, unused in the lot, week after week, it became a symbol for the passive-aggressive relationship that existed between the independent public charter school approved by the state and the local school district.

Why weren't students allowed to ride on the Ross Montessori bus? In Colorado, as in many places, school buses may not carry student passengers unless the vehicles are regularly inspected by a specially licensed school-bus mechanic. Grice and his administrative team quickly learned that most of the licenses to conduct inspections in the region belonged to mechanics employed full time by a school district.

When the charter school leaders checked with the mechanic at the local district in early October 2005, they were given the bureaucratic cold shoulder. Grice and his team decided the best way to proceed would be to call the next closest school district to see if its certified school-bus mechanic would conduct the required inspection. Arrangements were made to do just that, until Grice got a return call shortly before the scheduled inspection informing him that the appointment had been cancelled.

"They said they didn't want to get involved in the politics of our district," Grice recalled. The charter pushed back, and eventually the neighboring district agreed to inspect the bus—but only if the school could produce a letter from the superintendent of the charter school's geographic district giving permission. Eventually, the Carbondale superintendent agreed to call the neighboring superintendent. "I should have had him put it in writing," Grice said. Whatever the superintendents may have said between themselves, it didn't result in a bus inspection.

By chance, several months later, the charter school stumbled upon both a certified school-bus mechanic who was employed at a nearby Chevrolet dealership and a Catholic school that was looking to share with another school the cost of bus transportation in the region. "It allowed us to share the cost of the bus and to pay the driver better," Grice said. "But as soon as the district found out about it, someone called the Colorado Department of Education to question the separation of church and state."

The bus eventually got rolling, but Grice said he hates to think of how much time was spent dealing with these clearly avoidable hassles, time that could have been better spent on education.

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The Check Is in the Mail

When districts are the ones passing along funding to charter schools, they gain immense influence over those schools' basic operations, and the charters are placed in the undesirable position of having to rely on those who may oppose their very existence.

The Franklin Career Academy, of Franklin, New Hampshire, ultimately perished after the local school district and city council simply refused to pay the school the already-low $3,340 per child that was guaranteed under the state's charter school law. As in many locations, New Hampshire law requires the per-pupil funds to pass from the state through local school districts, and then to charter schools. But Franklin school and city officials argued that the money was needed in the traditional schools and, astonishingly, voted against giving it to the charter school in the city budget. In its first year, Career Academy served 35 at-risk students in grades 7 through 12, but ended the year being owed $77,000 by the local district. The financial uncertainty forced the charter school to shut its doors. "Nothing went wrong with the school," said the charter school's board chairman Bill Grimm. "We closed because we didn't see any other option." The New Hampshire legislature is currently considering funding charter schools directly.

Ohio has a similar process for funding charter schools. Ohio charters are paid through the districts with which they are competing. Those districts, in turn, have the right to question the validity of every student record, a practice called "flagging." Because charter schools can't be subsidized for a student whose record is "flagged," dozens of charter school leaders throughout Ohio charge that their local public-school districts have used excessive "flagging" with the specific intention of harming the often fragile finances of their schools.

Depending on the size of the school, and the aggressiveness with which local districts decide to "flag" students, individual charter schools can see tens of thousands of dollars in legitimate funding delayed or withheld each year. And charter school administrators report that their limited office staffs can be overwhelmed as they scramble to investigate the reasons behind the flagging.

One Toledo charter school leader said her school had twice been denied six weeks' worth of funding for enrolled students. In both cases, she said, the local district raised objections to student records just before the deadline for closing out monthly payments, making it impossible for the charter school to gather the supporting documentation in time for payment.

"We don't even know that we have a problem, then all of a sudden they'll put up a flag and say, 'We need proof of residence,'" the charter leader said. "We've had kids who were in the [Toledo Public] schools for their entire academic careers and suddenly the district wants to challenge where they live."

Another charter school administrator reported that an official with the Toledo Public Schools (TPS) often flags student entries, but doesn't make clear what is wrong. (In one case, he allegedly claimed the word "Toledo" was spelled incorrectly on the database, but the school insisted they had it right. To make matters worse, she said, the TPS official wouldn't return telephone calls or e-mails to discuss the flag he had thrown.)

Official Ohio Department of Education policy bans districts' use of flagging to harass the charter schools, but some charter operators complain that the state often looks the other way and insists that charter schools resolve the problem

Knocking Down the Building to Spite the Charter

In the summer of 2000, a group of St. Louis education activists, including two Washington University social work professors, was moving full speed ahead with plans to open a new charter school in the Walnut Park section of the city. The organizers had a site within their grasp—a boarded-up Catholic school that a developer was willing to renovate. The project had financial backers, and even though the actual charter hadn't yet been approved, signs were hung on the outside of the old school building announcing the plans for its new educational life. Construction was set to begin as soon as the charter was approved.

Without warning, city bureaucrats decided that the abandoned Catholic school had been vacant for too long. A raze order that was in effect was unexpectedly kicked into motion. Organizers were notified on June 6 that they had 30 days to board up broken windows and repair a broken fence or the building would be torn down. On Saturday, September 9, 2000, demolition crews arrived to tear the school down. By the next day, the building—including the charter school signage outside—was completely gone.

The site's real-estate developer, Willard Owens, was perplexed, particularly since the city hadn't previously shown much of an interest in removing the building. "No one started bothering me about the property until I brought up the idea of a charter school," Owens told the *St. Louis Post-Dispatch*. Without the building, the plans for the charter were also relegated to the scrap heap.

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with the local districts. Others note that there is a financial incentive for districts to delay making payments for as long as possible, even if they eventually have to pay the charter schools what they are owed in later installments.

"The district gets to use our money for a while [before eventually reconciling the accounts and spreading back-payments over several months] and we go into debt," a Toledo charter leader said. "Meanwhile, they accuse us of sucking the system dry."

Slinging Mud

Charter schools that either escape or survive the bureaucratic messes are lucky—but they're not safe. In many districts, organized campaigns of disinformation and slander have been launched against charter schools. Like lawsuits, faux research, and campaign contributions, name calling has emerged as one more useful political tool.

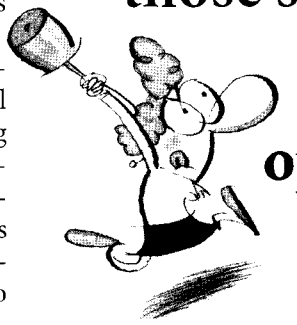
Toledo Public Schools teachers handed out flyers outside the East Toledo Charter School in 2006 to parents attending an informational open house. The flyers suggested inaccurately that the school wasn't performing well.

In Massachusetts in 2004, where district hostility to charter schools got so bad that state education officials had to warn superintendents to moderate their anti-charter politicking, one district student reported being pressured to sign a petition opposing charter schools. She was told if she didn't sign, funding for the school band might be cut from the budget. Reported the *Boston Globe*, "Children say their public school teachers have pressed them to sign petitions protesting new charters. School committee members have repeatedly called neighbors, imploring them to step down from charter boards. And flyers have circulated, sounding the death of public schools if a charter school opens."

In 2003 in Waltham, Massachusetts, an elementary-school principal sent out e-mails to families urging them to oppose pending charter-school proposals. In nearby Framingham that same year, city officials included with tax bills letters explaining how much money was going to charter schools. And in Cambridge, school officials in 2005 mailed letters to 4,000 families questioning the academic effectiveness of a charter school that had yet to open. Those letters also warned that students who chose to attend the Community Charter School of Cambridge wouldn't be able to join sports and clubs that regular public schools offer.

Some of the tactics used by charter opponents amount to bluffing but reveal how far they are willing to go to stop a charter school from opening. As the University of Wisconsin-Milwaukee (UWM) considered authorizing charter schools for the first time in 1999, the local teachers union and top administrators in the Milwaukee Public Schools threatened to ban the college's student teachers from obtaining required classroom experience if UWM approved any charter schools that would be managed by the for-profit firm Edison Schools.

When districts are the ones passing along funding to charter schools, they gain immense influence over those schools' basic operations.



No Truce in Sight

This ground war is both expensive and demoralizing. As the Thomas B. Fordham Foundation's Terry Ryan described the reality in one state, "Charter schools, many working in Ohio's toughest neighborhoods to educate the state's neediest children, are also forced to live under a cloud of uncertainty, harassment and intimidation."

Many of the charter principals interviewed for this story report spending upward of a third or even half of their time fighting these battles. In truth, charter opponents can lose some battles and still win the war, as charter school operations continue to be hampered by endless attacks on so many fronts. One can only wonder how these distractions impede the efforts of charter schools to educate their students.

Truce cannot be expected anytime soon. The enemies of charter schools are motivated and well-financed. For charter supporters, then, there is only one choice: fight back and win.

Joe Williams, a former staff writer on education for the New York Daily News, *is a nonresident senior fellow with Education Sector and author of* Cheating Our Kids: How Politics and Greed Ruin Education.

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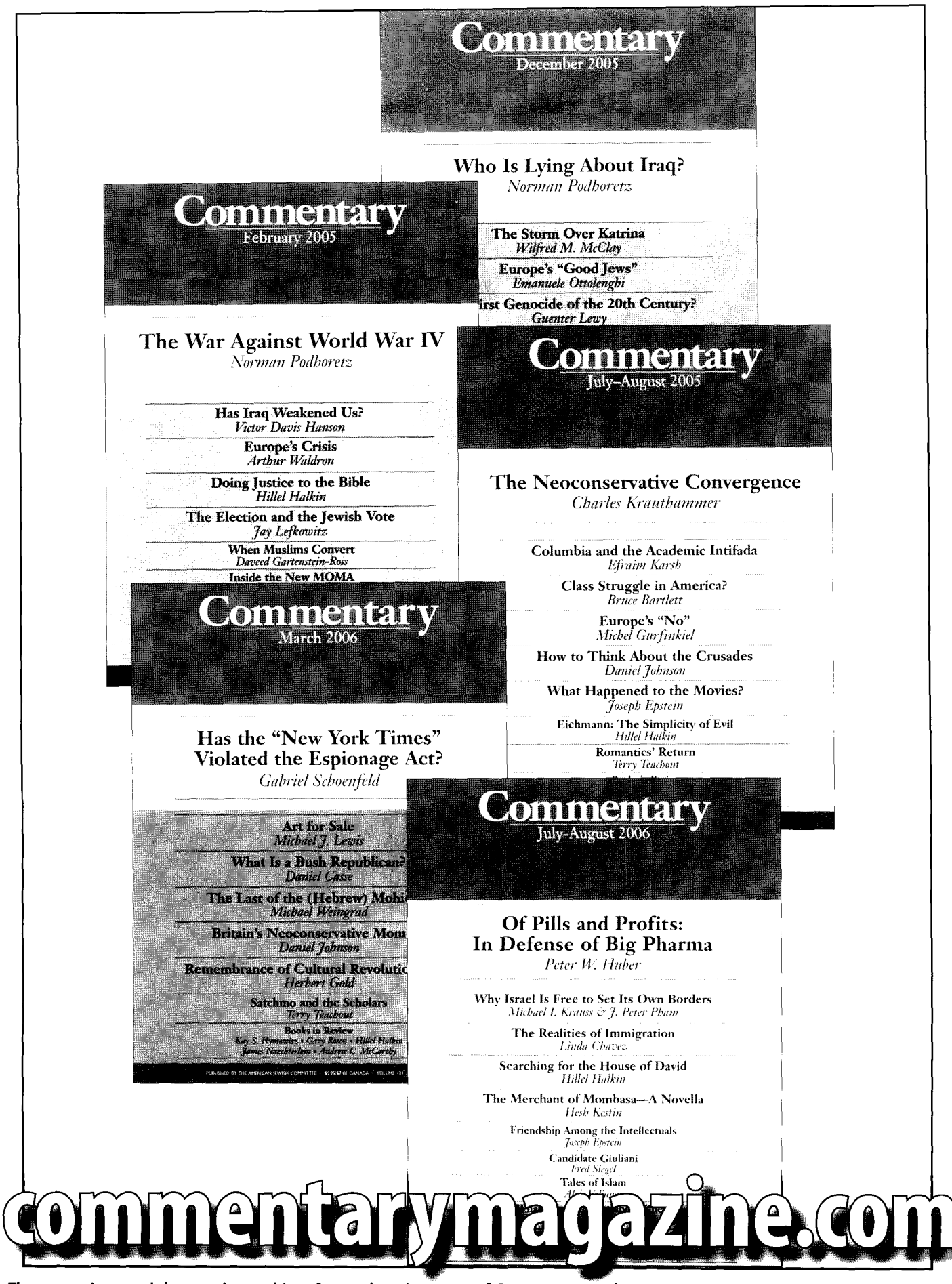

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COURTROOM Alchemy

Adequacy advocates turn guesstimates into gold

Beginning in the late 1960s, and accelerating unabated through to the present, plaintiffs have filed more than 125 court cases questioning the constitutionality of school district and school spending levels. In 2005 alone, high-court decisions were handed down in eight states, including Kansas and Texas, with a decision rendered in South Carolina that has national implications.

Cases in seven more states, including Kentucky, Louisiana, Missouri, and Nebraska, are now pending decisions concerning issues of adequacy in state funding mechanisms. And legal challenges to state funding mechanisms are not one-off endeavors. Arizona, California, Connecticut, Kansas, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Texas, and Wyoming are states in which there have been not one, not two, but as many as five or six legal challenges to legislatively determined spending levels.

Much of the litigation, particularly early on, centered on the issue of funding *equity*. As of 2005, funding mechanisms in 36 states had been challenged on the grounds that interdistrict spending was inequitable. Increasingly, however, cases have focused instead on the overall amount, or *adequacy*, of funding. Beginning in the 1990s, enactment in virtually every state of learning objectives and curriculum standards provided a new reference point for plaintiffs arguing that funding was inadequate overall. By 2006, the constitutionality of funding mechanisms in 39 states had been challenged on adequacy grounds (see "Judging Money", *research*, p. 68). Indeed, through the first half of 2006, funding mechanisms in only five states—Delaware, Hawaii, Mississippi, Nevada, and Utah—have been spared constitutional challenge.

ILLUSTRATION / BRUCE MACPHERSON

BY JAMES W. GUTHRIE AND MATTHEW G. SPRINGER

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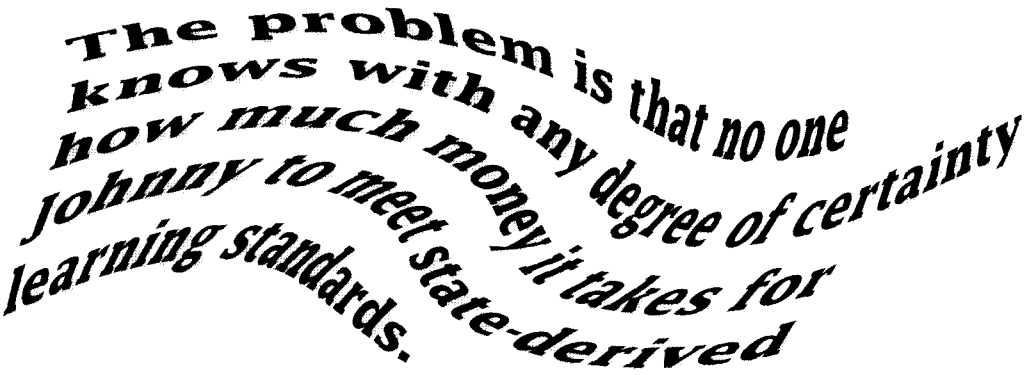
Few would seek to deny American public school students access to the courts when inadequate school funding threatens their chances for achieving academic, and ultimately economic, success. But contemporary school-finance adequacy litigation goes far beyond seeking equity for the educationally disadvantaged. The movement is becoming a self-serving cause whereby plaintiffs have gained relatively uncontested judicial access to the policy process. Indeed, unsubstantiated claims and unreasonable requests contained in costing-out studies commissioned by plaintiffs have successfully circumvented democratic executive and legislative funding dynamics. The trend threatens to erode public interest in and support for K–12 education policy.

Plaintiff Victories Pick Taxpayer Pockets

Amounts awarded by courts are often substantial. Wyoming and New Jersey are fine examples. Wyoming plaintiffs have returned to court six times and have so far doubled Wyoming's per-pupil spending, elevating it from $5,971 in 1996–97 to an estimated $12,422 for 2006–07. Beginning teacher salaries, for those with master's degrees, rose in constant dollars from $24,402 in 1997 to $32,451 in 2004, a 33 percent increase. The average student-teacher ratio declined from 15 to 1 in 1993 to 13 to 1 in 2003. In spite of dramatic increases in spending, Wyoming student achievement levels in math as measured by the National Assessment of Educational Progress (NAEP) have either been stagnant or dropped relative to the United States as a whole.


The problem is that no one knows with any degree of certainty how much money it takes for Johnny to meet state-derived learning standards.

While Wyoming is a poster child for litigant success, it is not all that extreme. New Jersey per-pupil spending, in response to *Robinson v. Cahill* and *Abbott v. Burke*, has been elevated in constant dollars from $4,688 in 1970, when the litigation began, to $13,229 in 2003. So-called *Abbott* districts, those that receive the largest share of new state funding, in select instances spend in excess of $19,000 per pupil, a figure that rivals day-student tuition at many of the nation's most prestigious independent schools.

How Much Is Adequate?

The underlying question seems reasonable enough: after all, if Johnny's school is underresourced, how can Johnny be expected to meet the state's expectations for learning? The problem is that no one knows with any degree of certainty how much money it takes for Johnny to meet state-derived learning standards.

Ensuring that sufficient resources are available for all students to meet state-specified learning standards is a laudable policy objective. Unfortunately, contemporary legal petitions for resource adequacy go far beyond the analytic capacity of present-day social science. The evolving concept of financial adequacy requires researchers to ascertain far more elusive relationships between education inputs, processes, throughputs, and outcomes. Researchers have simply not yet discovered answers to many of the questions regarding these relationships. For example, the amount of money or configuration of schooling resources needed to compensate educationally for impoverishment, disability, or language deficiency is simply not known.

Still, court cases proceed, and even proliferate, with the primary evidence coming in the form of adequacy cost studies. According to ACCESS, a project of the Campaign for Fiscal Equity, Inc., a total of 58 cost studies had been conducted in 39 states as of January 2006. Of these cost studies, state courts initiated 7, state government agencies initiated 34, and independent groups initiated 17. At least 20 cost studies in 14 different states were undertaken between January 2004 and December 2005, with a potential for at least 5 additional studies in 2006. Two adequacy cost-modeling methods are employed most often: the econometric or cost function approach and the professional judgment approach.

Cost Function Approach

In the recently decided (2005) *West Orange Cove ISD v. Neeley* case in Texas, plaintiff and intervening districts claimed revenues were insufficient to provide an adequate opportunity for students to meet newly elevated state learning standards. The evidence marshaled on behalf of the parties involved illustrates the weaknesses in the cost function approach to determining the cost of an adequate educational opportunity.

Generally speaking, researchers employing the cost function strategy specify a desired student performance level. They then seek school variables or student conditions such as household and community characteristics and school service

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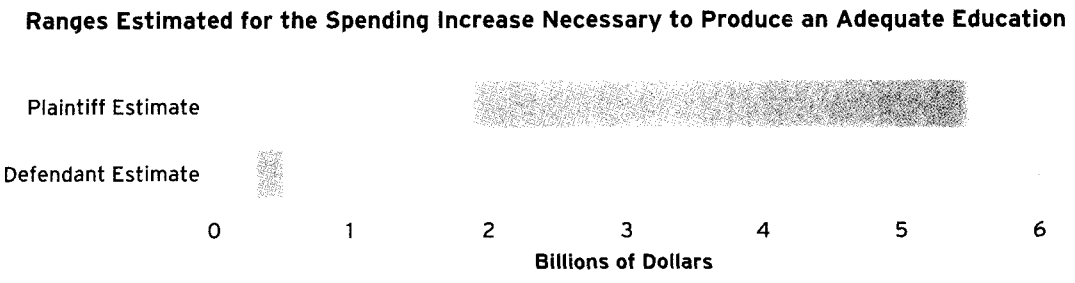
Texans Make Mountains Out of Molehills (Figure 1)

Despite many similarities in the methods used by plaintiff and defendant school-funding experts in Texas, the small disparities between them resulted in major differences in the estimates of the cost of an adequate education.



Methodologies Employed by Plaintiffs and Defendants

Both defendants and plaintiffs:

- Used the cost-function approach.
- Attempted to determine appropriate district expenditures per pupil.
- Considered how the state test scores for the district should affect its expenditures.
- Statistically controlled for the percentage of students who are poor, do not speak English, are in special education programs, and are in high school (high schools are more costly than elementary and middle schools).
- Used the same method for estimating teacher cost.

Modest Differences

- Defendants and plaintiffs used competing measures to determine the cost of achieving higher levels of student performance.
- Defendants used operating revenue, and plaintiffs used operating expenditures (a trivial distinction) to determine costs.
- Defendants and plaintiffs used different estimates to adjust for inflation.
- Defendants took geographic isolation of schools into account; plaintiffs did not.
- Plaintiffs considered the number of minority students; the defendants did not.
- To account for poor and non-English-speaking students, defendants used elementary-school figures; plaintiffs used district-wide percentages.

Case: *West Orange Cove ISD v. Neeley*
SOURCES: Imazeki and Reschovsky, 2004; Gronberg, Jansen, Taylor, and Baker, 2004

levels (for example, teacher qualifications) that are statistically associated with that performance level. Researchers employ a cost function model to approximate spending associated with the desired outcome.

The heart of the evidence regarding adequacy in West Orange Cove was provided by two cost function studies, one submitted by the plaintiffs and one by the defense. The table in Figure 1 identifies similarities and differences between the plaintiff and defense studies. The studies relied on similar econometric models, data, and proficiency standards. Differences existed in the treatment of value-added measures, tests (SAT/ACT variables), and school-district efficiency controls.

While the plaintiff and defense cost function models initially appear quite similar, the subtle differences resulted in drastically different conclusions. The defense study estimated that $226 million to $408 million in additional state or local funding was needed for the entire state's student enrollment to reach a 55 percent passing standard. The plaintiffs' study estimated a need for $1.7 billion to $5.4 billion more in public funding. Such radically different estimates stem from the current state of cost function analysis. Varying assumptions, model specifications, and data deficiencies inform analyses that consequently lack objectivity, robustness, and precision.

This rendering is not intended as a criticism of the defense or plaintiff research. To the contrary, they have addressed a significant policy issue, and their studies advance cost-modeling strategies. Nevertheless, one must realize that seemingly innocuous assumptions made by each research team—none of which can be proven to be technically "wrong"—yield radically different results. In their current state, cost function analyses are simply inadequate for guiding changes in state education-finance policy.

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Professional Judgment Approach

The modern introduction of the professional judgment approach into education finance began in Wyoming as a consequence of *Campbell County School District v. State of Wyoming* in 1995. The challenge resulting from *Campbell* was to provide the legislature, not the court, with an estimate of what it would cost to achieve a "visionary" school system, mandated by the court to be the best in the world. The absence of a statewide student achievement test limited the means by which the cost to Wyoming of such a high-performing school system could be determined. (It was not until the 1998–99 school year that the state began the annual administration of the Wyoming Comprehensive Assessment System [WyCAS].) Finance experts retained by the state modeled their practices after those of the Food and Drug Administration, Air Traffic Control Administration, and Veterans Administration, all of which have relied for years on professional judgment panels when faced with information deficiencies.

In the politically polarized domain of school-finance litigation, the professional judgment approach has evolved into a den of foxes guarding the henhouse.

Typically, a professional judgment approach to costing-out adequacy relies on experienced professional educators to identify the resources necessary to produce desired outcomes. This presumes the ability of professional educators to exercise craft knowledge in design of instructional programs and auxiliary services sufficient to ensure an adequate opportunity for all students. Upon a panel's completion of instructional program design, economic and finance experts impute current market prices (for salaries, fringe benefits, and supplies) to create a final per-pupil cost figure. In the early days, circa 1995, researchers employing the professional judgment approach were careful to make sure everything was transparent and met as rigorous a standard as possible. Selection of panel participants, for example, was carefully done so as to be as representative and objective as possible. Solace accrued to those engaged in what was openly acknowledged as a porous means for determining costs from knowing that recommendations were being provided to an executive branch agency or a legislature—a deliberative body whose participants could take into account weaknesses in the evidence.

The professional judgment approach proliferated in education-finance lawsuits following *Campbell.* Approximately 18 professional judgment studies conducted by at least seven different research groups were tendered as evidence in adequacy litigation from 1996 to 2003. Many are devoid of methodological rigor and injected with self-serving biases, rendering results unworthy of legislative, executive, or judicial consideration. In the politically polarized domain of school-finance litigation, the professional judgment approach has evolved into a den of foxes guarding the henhouse.

Take, for example, a recent professional judgment study prepared by Verstegen and Associates for *Young et al. v. Williams et al.,* a pending education-finance adequacy trial in Kentucky. The firm's evidentiary submission relied principally upon two organizations to select teachers, curriculum specialists, and administrators to serve on professional judgment panels that constructed the resource ingredients that would ultimately help determine the cost of an adequate education in Kentucky. The first organization was the Council for Better Education, Inc. (CBE), a coalition of school districts that first brought an adequacy suit against the Commonwealth of Kentucky in the late 1980s and then for a second time in 2003. The second organization was the Kentucky Education Association (KEA), the state's National Education Association (NEA) affiliate, whose mission targets "improved" education funding and which further identifies "enhancing" compensation and benefits as a principal reason for educators to join their association.

To the extent that panel participants knew their work was likely to be used to advocate for additional funding for the state's public schools (or that panel participants' predispositions reflect CBE's and/or KEA's mission and values), there is an obvious bias injected into the Verstegen and Associates study from its inception. For that reason, one might not be too surprised to learn that the report concluded between $892 million and $1.162 billion in additional funding was needed to achieve an adequate education. Furthermore, raising teacher salaries was identified as one of three "key resource requirements" for attaining educational adequacy.

We reviewed results from professional judgment studies in eight states released from 2001 to 2003. All eight studies were conducted by Augenblick & Myers, Inc. (A&M) or Augenblick

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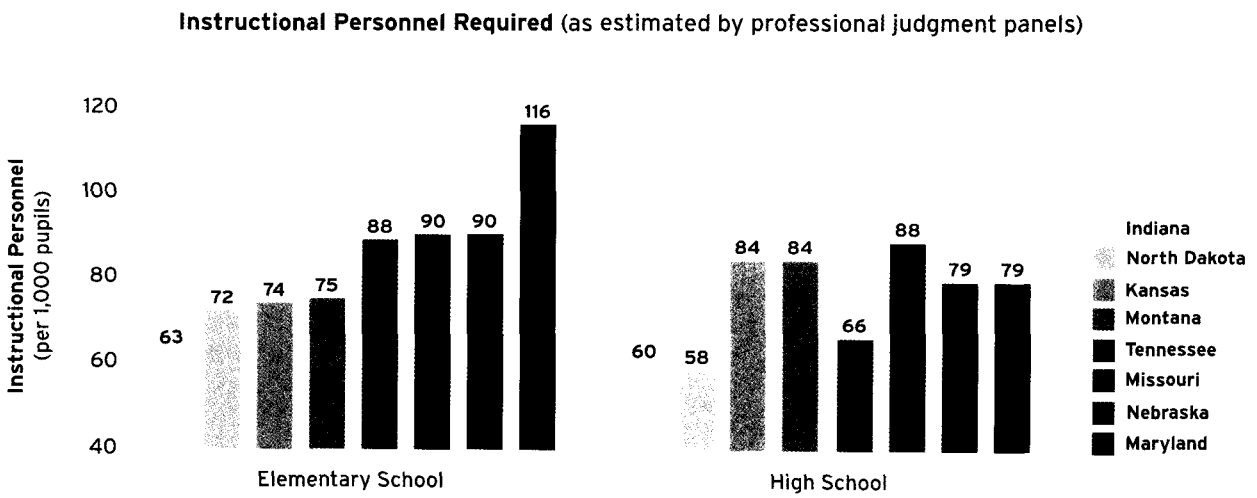
Palaich & Associates, Inc. (APA). This review was limited to studies by these two groups for three reasons. First, professional judgment exercises organized by A&M and APA impose similar constraints on panel participants across studies and, in most instances, have relied on similarly trained staff members to facilitate panel deliberations. This makes cross-state and cross-study comparisons more reasonable. Second, they report the number of instructional personnel required per 1,000 "regular" students in nearly every professional judgment study conducted. This provides a common metric for comparison. Finally, A&M and APA have conducted the most professional judgment studies by any single group of consultants, thus providing the largest possible sample with a common metric for comparison purposes.

Figure 2 shows instructional personnel per 1,000 "regular" students recommended for elementary schools and high schools in several states. Projected numbers for instructional personnel vary significantly, even when the contexts are similar. For example, professional judgment panels in Maryland estimated, on average, that elementary schools need 116 instructional personnel per 1,000 regular students to meet state standards. Nebraska elementary schools require 90 instructional personnel per 1,000 regular students, whereas Montana only needs 75 instructors.

Unjustified variances such as those displayed in Figure 2 suggest, at a minimum, that there is no science involved in such estimations. The present state of education-finance adequacy cost modeling is highly vulnerable to assumptions made by researchers. Even within studies one can find great disparities. For example, the combined corporate team providing advice to New York plaintiffs in the Campaign for Fiscal Equity remedy phase, a joint venture of American Institutes for Research (AIR) and Management Analysis & Planning, Inc. (MAP), a Davis, California–based consulting firm specializing in education finance and litigation support (of which coauthor Guthrie is chairman of the board of directors), had contrasting approaches for adjusting differences between cost estimates generated by multiple professional judgment panels (see "Pseudo-Science and a Sound Basic Education: Voodoo Statistics in New York," *check the facts*, Fall 2005). The differences, distilled to their essence, were as follows. AIR aggregated cost estimates across multiple panels, essentially taking the highest amount recommended for each category. MAP contended that averaging the cost estimates from different panel submissions was more appropriate; taking the average yielded a lower recommended level of spending for each category. The different approaches resulted in estimates of additional funding needed that were billions of dollars apart.

Guess Work? (Figure 2)

Across states, adequacy case professional judgment panels vary widely in their estimates of the number of instructional personnel required per 1,000 pupils.



SOURCES: Professional judgment studies conducted by Augenblick & Myers, Inc., and Augenblick Palaich & Associates, Inc.

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Cost modeling deficiencies, pseudo-scientific research practices, and advocacy testimony are tainting contemporary education-finance adequacy litigation.

Adequacy Is Jeopardizing Public Accountability

In the equity-based litigation of the 1970s and 1980s, researchers investigated and courts intervened in deep-seated education-finance issues of public policy significance, such as school funding schemes that exacerbated existing socio-economic disparities. By contrast, contemporary adequacy research and lawsuits are increasingly pursued by narrowly self-interested plaintiffs as a means to bypass the conventional competitive political process and procure private gain at public expense. These very same "we need more money" groups ardently oppose operational innovations, such as competition and incentives, that may increase efficiency and productivity and help ensure that all children are provided the opportunity for an excellent education. Adequacy advocates seldom open the door to alternative public-policy solutions, such as income maintenance, housing subsidies, or health and nutrition improvement, for addressing the education problems of the disadvantaged.

Selfishness is not new to jurisprudence. Certainly, other parties at interest have pursued the protected calm and rational patois provided by the judicial process in place of subjecting themselves to the bare-knuckle pummeling of political debate. If this alone were all that was taking place, then there would be little or no news here. However, there is a deeper and more sinister dynamic at play in modern education-finance adequacy research and litigation. Self-interested advocacy has become a primary driver for adequacy research and, as the following example illustrates, now plagues the adequacy reform movement.

In August 2003, a 19-member task force commissioned by Minnesota governor Tim Pawlenty convened to make recommendations for revamping Minnesota's K–12 education-finance system. In addition to including prominent Minnesota school superintendents, a former state finance director, a state board of education president, and local community leaders, the School Funding Task Force engaged MAP (with which coauthor Guthrie was engaged). The resulting report's principal recommendations included (1) linking education funding to student learning; (2) elevating school accountability; (3) fostering community engagement and encouraging educator creativity; (4) continuing to value school choice; and (5) sustaining progress toward funding equity.

In September 2005, approximately 18 months after the School Funding Task Force report was released, the Association of Metropolitan School Districts, the Minnesota Rural Education Association, and Schools for Equity in Education contracted the services of APA to "examine the Task Force results and, *using widely accepted methodologies*, determine the costs necessary to ensure that each public school student is educated to meet the state's academic standards." APA's "continuation" of the School Funding Task Force's report estimated that $7.998 billion was required to realize educational adequacy for the 2003–04 school year, which implied that Minnesota's public school system was underfunded by approximately $953 million during that year.

It is worth noting that student outcomes measured by the NAEP scores are quite favorable for Minnesota. Only Massachusetts had a greater percentage of students at or above proficient in mathematics in 4th grade in 2005, while no state had a greater percentage of students than Minnesota at or above proficient in mathematics in 8th grade. When charting the average mathematics scale score and percentage of students eligible for free and reduced-price lunch in the 4th and 8th grades, we find that only nine or fewer states had a smaller percentage of students than Minnesota below "basic" proficiency. While areas in need of improvement surely exist, it is also difficult to believe an "inadequate" state is among the national leaders in student achievement by *a widely accepted measure.*

Salvaging Adequacy as Legitimate Public Policy

Clearly, cost modeling deficiencies, pseudo-scientific research practices, and advocacy testimony are tainting contemporary education-finance adequacy litigation. Yet readers should not interpret these criticisms as calling for an end to the adequacy reform movement. The principled cause of adequacy is legitimate. America's public schools surely would be enhanced if assured the optimal mix of resources, incentives, practices, and structures. Consequently, we set forth three recommendations by which adequacy-driven reform and cost modeling strategies can become more effective.

Invest in Research The policy system thirsts for more precise information regarding 1) the manner by which education

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resources can be deployed to gain greater student performance returns and 2) how much money is actually needed to ensure students an opportunity to learn what is expected. With a new generation of reform-minded philanthropists targeting high-profile efforts that will influence educational politics and policy, the time is ripe for a project that targets methodological advances and improvements for cost modeling strategies. A modest outlay, in the range of $10 to $20 million, could have dramatic potential if expended on convening the nation's top-flight statisticians, economists, and psychometricians to construct a research and methodological task force to buttress cost modeling strategies.

Raise the Standards If adequacy research and cost studies are to have a useful role, then steps must be taken to construct higher evidentiary standards. An independent organization such as the National Research Council, Council of Chief State School Officers, or Education Commission of the States should convene a panel of finance experts to construct adequacy research and cost-study standards. A clear set of evidence standards and screening criteria would be useful to legislative and executive bodies when appraising the objectivity and scientific reliability of cost studies that aim to determine the adequacy of state funding mechanisms.

Change the Venue Finally, the venue for adequacy deliberation should be the statehouse, not the courthouse. Decisions regarding adequate funding levels and designing means to provide all students with the opportunity to reach state standards of proficiency should reside with state legislative and executive branch officials. The judicial system is best suited to considering solutions for issues brought before the court. Legislative and executive branch deliberations are far better adapted for accommodating uncertainty, deconstructing complexity, and considering the tradeoffs inherent in education policymaking. Unlike the judiciary, legislative and executive bodies might also have the capacity to consider, alongside resource investments, innovations aimed at making sure those resources are used effectively.

James W. Guthrie is professor of public policy and education, Peabody College of Vanderbilt University. Matthew G. Springer is research assistant professor of public policy and education, Peabody College of Vanderbilt University. *The unabridged version of this essay is available in Martin R. West and Paul E. Peterson, eds.,* School Money Trials: The Legal Pursuit of Educational Adequacy, *forthcoming from the Brookings Institution Press.*

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New Leaders for Troubled Schools

Jacquelyn Davis works with D.C.'s education bureaucracy

BY

TYLER CURRIE

In recent years Frank W. Ballou Senior High School in Washington, D.C., has suffered some well-publicized traumas, including the on-campus murder of a 17-year-old and a deliberate mercury contamination by students that forced the school to close for a month. Meanwhile, barely 3 percent of students scored "proficient" in reading, and just under 10 percent did so in math. In comparison, the firing of Ballou's principal in the summer of 2005—the second sacking in as many years—seemed like a mercifully dull event.

For Jacquelyn Davis, any mention of Ballou brings back sharp memories. "Ballou is where I had my awakening," says Davis. In 1999, as a second-year law student at Georgetown University, she taught a legal course at the high school. "My students at Ballou were incredibly smart but their skills were on such a low level," she says. "Some of them were close to being illiterate." She realized that the school was broken but felt powerless to fix it. "It was painful to witness," she says.

Today Davis, 35, wields considerable influence over Ballou and, in fact, almost every public school in Washington, D.C. As the executive director of the Washington office of New Leaders for New Schools (NLNS), Davis is overseeing a rapidly expanding crop of new principals who are promising to revitalize a long-ailing system. The nonprofit NLNS has agreements to train principals in five other U.S. cities—Chicago, New York, Baltimore, Memphis, and the Oakland Bay area. With only about 80,500 students in public and charter schools, Washington has one of the smallest student populations of the NLNS program cities, and program graduates make up a sizable share—almost 20 percent after just three years—of the city's principals. NLNS alumni are principals or assistant principals in 45 of Washington's 200 public schools (see Figure 1). Within a few years, half of all D.C. schools could be in the hands of NLNS alumni.

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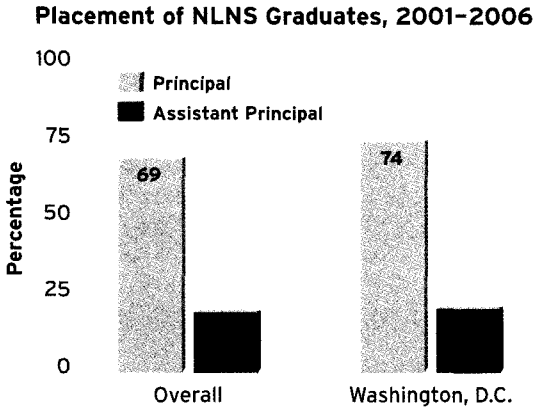
Career Boost (Figure 1)

Nearly 90 percent of all graduates and 95 percent of Washington, D.C. graduates of the New Leaders for New Schools program have been promptly hired for leadership positions (principals and assistant principals).



SOURCE: New Leaders for New Schools

Someone Who Can Do It All

Davis grew up in Port Arthur, Texas, where her father served as a school board member during the massive effort to desegregate that city's schools, and she was among the first white students to attend a formerly segregated elementary school. "In some ways I've always been thinking about these issues of race and class and education," she says. As an undergraduate at Brown University, she studied school reform with Ted Sizer, and not long after moving to Washington in 1993 to work for a congressman, she co-founded Hands on DC, a nonprofit that uses volunteers to make repairs in the city's notoriously dilapidated school buildings and provide college scholarships to low-income students.

None of this, she says, prepared her for the dysfunction she discovered while teaching at Ballou, which was jarring enough to sideline her career as a lawyer. Instead, she headed for public education. She and some Georgetown classmates, also Ballou veterans, launched Thurgood Marshall Academy, a law-related high school just blocks away from Ballou and one of the city's first charter high schools.

Davis became an administrator at Thurgood Marshall. She recruited the school's first principal and learned firsthand what it takes to lead an effective school. That work led to an insight that would reverberate. "You can have amazing teachers," Davis says. "But if you don't have a principal holding it all together … the school's not going to work." The principal she helped hire was highly qualified, she recalls. "But even he wasn't perfect." She saw close-up the staggering array of skills requisite in a successful principal, from managing a multimillion-dollar budget, to being an instructional leader, to working with parents and community members. "How do you find someone who can wear all these hats?" Davis asks.

Great Schools Have Great Principals

In 2002 Davis met up with an old friend, Jonathan Schnur. They'd first met while working on Bill Clinton's 1992 presidential campaign. Both passionate about education as a fundamental right for every child, their shared interests had kept them in contact. "For years the two of us had been having discussions about education and about how to make schools work for all kids," says Davis. "We were always both focused on the students who were too often left behind in urban schools—low-income kids, kids of color."

Schnur, as a Clinton administration education-policy adviser, had spent lots of time visiting schools across the country. "And one pretty simple but powerful insight became clear," he says. "Great schools have great principals." He used the premise to write a two-page concept paper describing a program for recruiting, training, and supporting new urban-school principals. He says he was eager to launch the program right away. "You've got no program, no funding, no team," Schnur recalls one friend cautioning him. "You've never been a principal. You need to develop this more before you launch."

So Schnur took his idea and enrolled in the Harvard Graduate School of Education in 1999 where he joined forces with some students from the Harvard Business

NLNS recruits all have teaching expertise, but are drawn from a range of sectors—private industry, education, nonprofits, law, the military—and are put through a yearlong boot camp

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School. Together they refined Schnur's concept and entered it in Harvard's annual business-plan contest. New Leaders for New Schools, as Schnur dubbed the program, was the first nonprofit to be named a semifinalist in the competition. This helped secure start-up funding, including $1.15 million in grants from the NewSchools Venture Fund, a California-based venture philanthropy firm.

By late 2002, NLNS was up and running in New York, Chicago, and the Oakland Bay area, with three cities submitting bids to be the next expansion site. Schnur, now CEO of the nonprofit, selected Washington and asked Davis to launch the new program office. The hiring of principals, says Schnur, is entwined with community politics. Davis, just over 30, was already intimate with the politics and players of the D.C. education landscape. Schnur states her qualifications more bluntly: "We needed someone who could bring people together and get things done."

"We needed someone who could bring people together and get things done."

Finding the Best Woman (or Man) for the Job

Jacquelyn Davis's desk is awash in papers. It's an early December morning, 2005, and applications for next year's "cohort" of New Leaders are rolling in. Last year, 260 people applied to the program, and 18 were accepted. Selection involves several rounds of written responses, interviews, case studies, and problem-solving exercises, where applicants are judged on 10 criteria, from "belief in the potential of all children to excel academically" to "project management" to "self-awareness."

"I personally interviewed around 150 people last year," says Davis. "At an hour and a half per interview, that's where I spend a lot of my time." The final round involves an eight-hour simulation of a day in the life of a principal. Irate parents? Teacher observations? A ruptured boiler? NLNS didn't want to reveal specifically what problems are thrown at applicants during the simulation, except to say that anything a principal might encounter is fair game.

NLNS recruits all have teaching expertise, but are drawn from a range of sectors—private industry, education, nonprofits, law, the military—and are put through a yearlong boot camp, which includes weekly classes and a hands-on, medical residency–style apprenticeship with a mentor principal. The training is followed by two years of on-the-job support. New Leaders in D.C., Davis says, have on average six years in the classroom and adult leadership experience. Average age is 35. Two-thirds of the New Leaders are women (see Figure 2).

NLNS doesn't push a particular curricular model or reform package. Rather, says Schnur, the yearlong training program emphasizes three core principles: All children can excel academically and behaviorally; principals are instructional leaders; classroom decisions should be driven by data. "We think that these principles are incredibly important," says Schnur. "Research shows that these are the kinds of things that happen in highly effective schools, and if you don't do them you're not likely to have an effective school."

Central Office Shuffle

Last December Davis was facing another urgent task: hammering out a formal agreement with the D.C. Public Schools (DCPS). For the previous several years, NLNS had been operating essentially with no contract from D.C. Public Schools. The only written commitment she had from the school system was a four-line letter from then new superintendent, Clifford B. Janey, dated March 2005, saying that D.C. Public Schools will "cover the Residency year salaries ... for up to 20 New Leaders who will train in DCPS during the 2005–2006 school year."

Contrast that with the 22-page Memorandum of Understanding (MOU) that then D.C. superintendent Paul Vance

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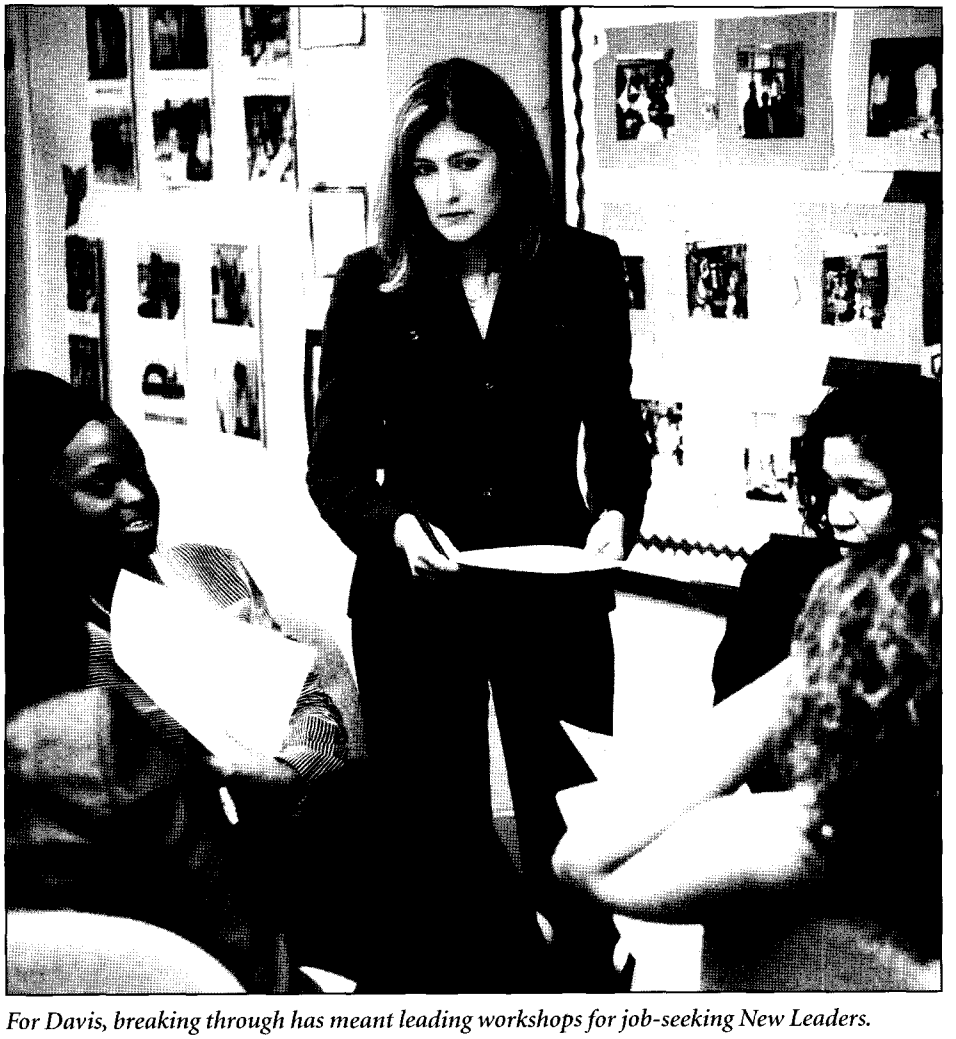
inked with NLNS in 2003. This document defined the nitty-gritty, who-does-what of the partnership. NLNS pledged, for example, "to identify classroom spaces for the courses" that the New Leaders would take during their yearlong training, while the school system promised to "identify outstanding practitioners from the D.C. Public Schools who could serve as faculty or guest lecturers in these courses."



For Davis, breaking through has meant leading workshops for job-seeking New Leaders.

Vance and his chief of staff, Steven Seleznow, were among the driving forces in bringing NLNS to Washington. "It was pretty clear that we needed them," says Seleznow. "One of the levers of change is to have really strong leaders in the schools, and we didn't have the in-house capacity to recruit and train the best principals. With New Leaders we saw an opportunity to build an almost immediate capacity." He acknowledges that there was concern that graduates of the program, with relatively little experience, would not be up to the task of running schools. "But we did our due diligence, and given the quality of the training, the quality of the people New Leaders had been able to recruit in other cities, the mentors they would have, we felt we were minimizing the risk" of their inexperience. Besides, says Seleznow, a former principal in Montgomery County, Maryland, "There's no experience that can totally prepare you for your first principalship."

For the most part, the 2003 Memorandum of Understanding mirrored agreements that NLNS had with other school systems. At the core lay a financial arrangement, with D.C. Public Schools paying the New Leaders' salaries during training and NLNS covering the program costs, leaving Davis to raise a $1.5 million annual operating budget.

But in at least one regard the D.C. agreement broke new ground. Superintendent Vance agreed to grant NLNS graduates who excelled during their residency year—and were subsequently hired as principals—increased decision-making authority and autonomy. The New Leaders were promised greater control over budgets, staffing, curriculum, and professional development.

"New Leaders felt strongly that their principals had to have autonomy," says Seleznow. "They wanted to immunize their principals from a lot of the problems that came along with being a captive to the bureaucracy." He says there were plans eventually to offer the autonomy to all qualifying principals because their union worried about the New Leaders becoming a "favored group of principals with tools that other principals did not have."

At the time, it appeared that NLNS, having just arrived in Washington, was destined to be a lot more than a supplier of principals. It was helping to shape policy, placing principalship at the center of the reform agenda.

"I tell you all of this for naught," says Davis, after describing the autonomies in the 2003 MOU. Seleznow retired a few weeks after helping to work out the agreement. And soon Vance did, too.

"To be very candid with you, I just don't want to be bothered with it all," Vance told reporters, describing his frustrations with running D.C. Public Schools.

With the loss of these key partners, says Davis, NLNS had to gain new champions in the central office, and the

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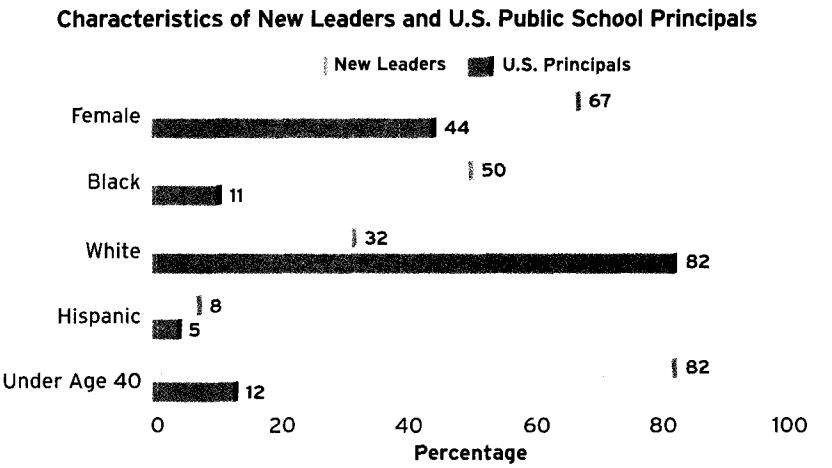
program had to find new supporters. The promises in the MOU quickly fell into limbo, and it was clear that the autonomies for NLNS principals would not take root. "We had a 'gentlemen's agreement' about how these autonomies would be worked out, but the specifics were not in writing. I didn't anticipate such a quick transition in the top-level leadership," Davis recalls. "People who remain constant in the system are often not the most senior staff people, and it's through relationships with those people that we get a lot done. They are the foundation of the system."

Despite the setback, Davis did not veer from the plan to recruit and train a cohort of would-be principals. She became a constant presence in the central office building, reminding workers there who she was and what NLNS was trying to do. "I know everyone's secretary really well," Davis says. "And that matters because every single assistant superintendent position has turned over at least once, and some of them have turned over three times since I've been here. And the secretaries have remained. So when I call and say to the secretary, 'I'm calling from New Leaders,' the secretary says 'Of course. How are you?' and my call gets returned" by the assistant superintendent.

A Different Mold (Figure 2)

With high participation rates from the ranks of the young, females, and minorities, New Leaders do not look like the typical public school principal.



Note: For percentage under age 40, New Leaders in the year they begin the program are compared to new public school principals in 1999-2000.

SOURCES: New Leaders for New Schools; National Center for Education Statistics, "Digest of Education Statistics 2005"; Susan M. Gates et al, "Who is Leading our Schools?" (RAND Corporation, 2003)

Breaking Through

Getting a phone call returned is one thing. Getting a New Leader hired is another. D.C. Public Schools was never obligated to hire any of the New Leaders. "Our people have to compete in the hiring process just like other candidates," says Davis. In other cities, early graduates of the program had difficulty being hired as principals and were often brought on as assistant principals or other administrators. (See "The Waiting Game," *features*, Summer 2004). Many of the New Leaders were perceived as outsiders.

Yet Bernard Lucas, president of the Council of School Officers, the union representing D.C. principals and assistant principals, worries that New Leaders are leapfrogging over other job applicants. "The concern is that people who have worked very diligently, who have had excellent evaluations over the years, who have the skills, that they are being pushed to the side and overlooked when positions become available," says Lucas. He adds that he supports the NLNS concept. "If the people who come out of the New Leaders program go through the selection and interview process on top, then so be it. But just because these other individuals did not go through the program does not mean they don't have the vision or are incapable of leading the schools."

But in at least one regard the D.C. agreement broke new ground. Superintendent Vance agreed to grant NLNS graduates who were subsequently hired as principals increased decision-making authority and autonomy.

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If they have it in their minds that the principal should be a man who's sixty ... this is a very different thing than selecting an instructional leader who's 35, who's female, who might have dreadlocks.

Davis says that in some ways being an NLNS graduate can be an obstacle, for the simple fact that New Leaders don't *look* like other D.C. principals. "If they have it in their minds that the principal should be a man who's sixty... this is a very different thing than selecting an instructional leader who's 35, who's female, who might have dreadlocks. Changing what a community thinks a principal is and what a principal should do has been a lot of work."

For Davis, breaking through has meant leading workshops for job-seeking New Leaders. "We tell them, know the school that you're going to interview for. Know the data, know the community, know the players. We had one New Leader who went out and walked the neighborhood before her interview. And then in the interview she talked about the people she'd met in the neighborhood. That was a kind of liftoff moment for her."

So far the strategy has worked. Of the 47 New Leaders Davis has shepherded through the hiring gauntlet, only one, Melissa Kim, was not immediately hired by a D.C. public school. She spent a year as an assistant principal in nearby Arlington County. "I think part of it is that she seemed young," says Davis about Kim, who was 28 years old when she graduated from NLNS. In the summer of 2005 Kim was hired to run Deal Junior High School in D.C.

"We tell them, know the data, know the community, know the players."

Back to Ballou

It's too early to say whether or not the New Leaders are making a significant impact on student achievement, although RAND has been enlisted to study the program. Schnur says the results are due in 2008.

One milestone brings Davis particular delight. In July 2005, D.C. Superintendent Clifford B. Janey appointed Karen Smith, a recent NLNS graduate, to be the new principal of Ballou. Smith brought in two NLNS graduates to serve as assistant principals—creating a team of like-minded educators working together to turn the school around.

Last year, even before the firing at Ballou, Davis says that she began discussions with the school system about which New Leaders "could take on challenging high schools." In particular, she touted Smith, then a 33-year-old former high-school English teacher and program director for Teach For America. Smith had spent her training year as an assistant principal at McKinley Technology High School in Washington, where she helped craft the budget, manage the facility, and deal with parents.

When the Ballou job opened up, Davis encouraged Smith to consider it. "I didn't know if I was ready for that," says Smith. "But I felt up for the challenge."

Superintendent Janey evidently agreed. He directly appointed Smith to the Ballou principalship, skirting the normal process involving community panels. "I was ecstatic," recalls Davis, who says that Ballou, under Smith's direction, is on the path to reform.

"I was told by a lot of people that I needed to be a man. I was told that Ballou's principal needed to be a man," Smith says. She recalls her response to the critics: "I can't deny that I'm younger than most principals. I can't deny that I don't have as much experience, but here's what I'm going to do."

In September 2006, on the first day of school at Frank W. Ballou Senior High School, Davis returned to the school that had so profoundly affected her years earlier. In the year since Smith assumed the principalship, reading scores had improved. The halls were calm; students were in their classrooms. One student told her, "Ms. Smith does not play, but she loves us and we know it."

"The building is already significantly different than the one I knew," says Davis. "There's more structure, more order. The culture has shifted enough now for Smith to focus on instruction and student learning—the stuff that matters most." She couldn't help but feel a sense of satisfaction: "On a personal level I've had my eye on that school for a long time."

Tyler Currie is a contributing writer for the Washington Post Magazine.

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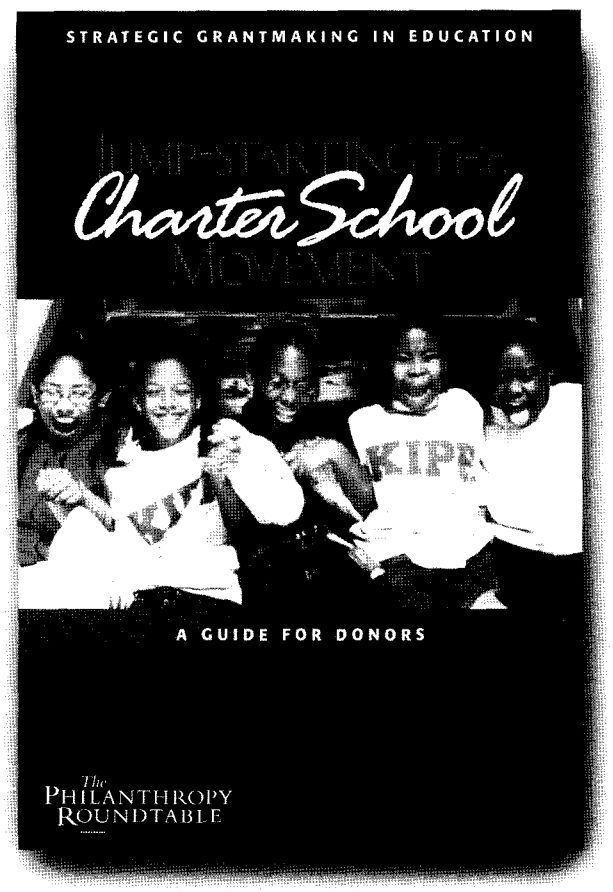
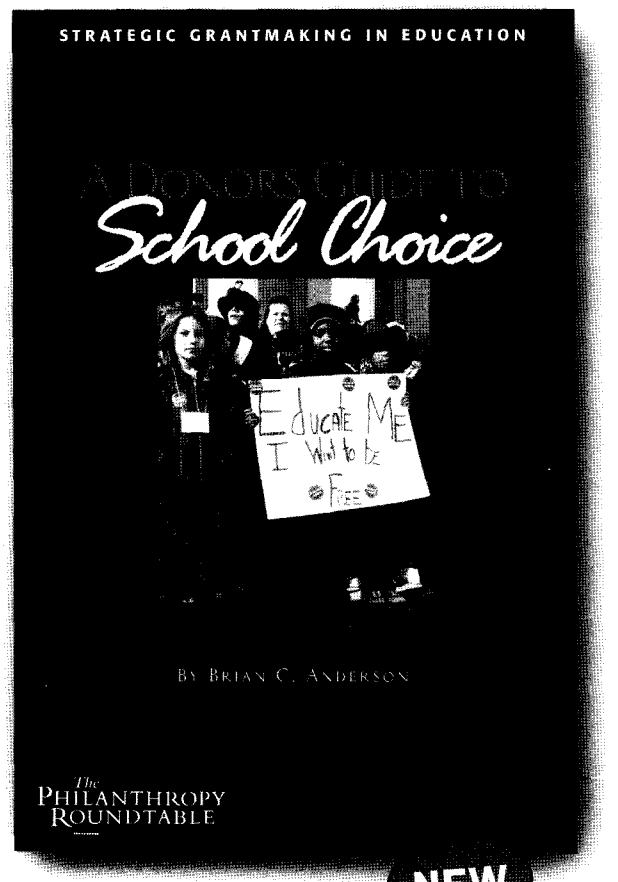
Strategic Grantmaking in Education



Jump-starting the Charter School Movement:
A Guide for Donors
The Roundtable commissioned this guide in order to provide donors of all shapes and sizes with strategic ways to support a strong charter school movement in their communities and across the nation. This book draws on the experience of the most active and effective charter funders.



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The brave new world of data-informed instruction

BY JULIE LANDRY PETERSEN

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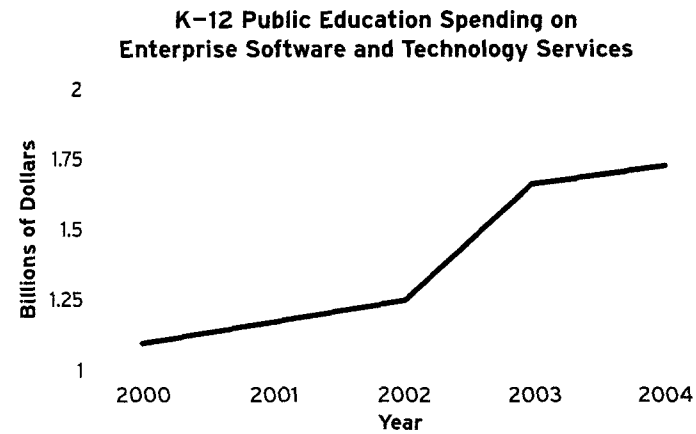
feature

Facts

Building the Database (Figure 1)

State departments of education, local districts, and schools have increased spending on software, data systems, and technology services in recent years.



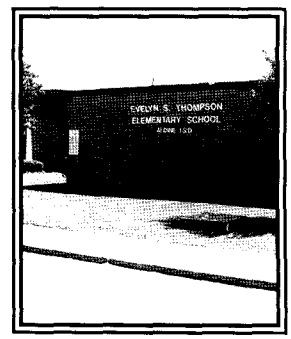
Note: Includes sales of instructional and administrative software and system integration services.
SOURCE: Eduventures

In just the last ten years, goaded by broad and still unsettled cultural shifts, education practices have changed dramatically. Schools are no longer just recording and analyzing *inputs*—dollars spent, number of days of instruction, numbers of students per teacher—but pushing their data-gathering and analysis efforts into the brave new world of outcomes. Who is dropping out and why? Which students are reading at grade level, and which are not? How are 4th graders doing on fractions and decimals? Today's educators are deciphering, and using, the results of student assessments better than ever. And it is not a reform at the margins. "Nearly all states are building high-tech student data systems to collect, categorize and crunch the endless gigabytes of attendance logs, test scores and other information collected in public schools," reported the *New York Times* in a front-page story last May, confirming the scope of the trend.

Hundreds of state education departments and school districts, driven in part by the No Child Left Behind (NCLB) mandate to demonstrate "adequate yearly progress," are retooling their assessment regimens and technology systems to use outcome data to drive instructional and policymaking decisions (see Figure 1). A study of 32 San Francisco Bay Area K–8 schools released in 2003 by the Bay Area School Reform Collaborative (now Springboard Schools) found that "what matters most [in closing the achievement gap] is how schools use data." In fact, those schools that had accelerated the progress of their low-performing students—who were catching up with high-performing students—were those that regularly captured data for the purpose of improving results.

What follows is a close look at three schools that have integrated data into their instructional decisionmaking. Each has concluded that the practice has helped improve student achievement. I examine a traditional public school, a district-turned-charter school run by an education management organization, and a relatively new charter school. The experiences of these schools illustrate the benefits of mining both internal assessments and standardized test results for data to guide curriculum decisions and inform classroom instruction.

Evelyn S. Thompson Elementary School



District:
Aldine
Location:
Houston, Texas
Grades:
K-4
Enrollment:
635
Demographics (2004-05): 87% free or reduced-price lunch, 17% African American, 79% Hispanic, 63% Limited English Proficient
Performance: In the 2004-05 school year, 92% of 3rd and 4th graders met state standards in reading (up from 74% in 1994), and 94% met state standards in math (up from 65% in 1994).
Words to Teach By: ***"Data tell you where you are and what's going on. The key is whether or not you use it to make changes."***
(Superintendent Nadine Kujawa)

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Four Stars in the Lone Star State

Evelyn S. Thompson Elementary School is located in a Texas district that has been nationally recognized for improving student achievement over the last decade. The state's accountability measures, on which No Child Left Behind was modeled, have grown increasingly stringent. Even as the district's percentage of low-income students has risen, student achievement in the Aldine Independent School District (AISD)—a mid-sized urban district with 66 schools and 56,000 students on the northwest edge of Houston—has kept pace. But it wasn't always so.

In 1994, the first time the new Texas Assessment of Academic Skills (TAAS) tests were given to all 4th-, 8th-, and 10th-grade students, half the kids in the district failed. Until then, Aldine thought it had a decent school system; its students often received awards and scholarships and the local press wrote favorably about them. But when the district received an "academically unacceptable" label that year, it got a wake-up call as well. "Our educational philosophy had been all about self-esteem as our key goal," recalls Superintendent Nadine Kujawa, a Texas native who had worked in the district since the early 1960s and in 1994 was the deputy superintendent of human resources and instruction.

Teachers tend to come in early and stay late. They see the use of data "not as additional but as a part of instruction, their professional responsibility, and their high expectations."

Over the next decade Aldine undertook major structural reforms that emphasized academics and student achievement. "Now," says Kujawa, "we believe that if students are successful academically, self-esteem will take care of itself."

The key to this new emphasis on achievement was the TRIAND data-management system, developed in partnership with a local software vendor to capture, analyze, and share specific student achievement data among administrators, school leaders, teachers, and even parents. Over the last eight years, the district has spent $32 million on the hardware systems necessary to track student demographic and performance data districtwide, and another $2 million on additional computers that allow teachers to access the system; much of this funding has come from the federal E-Rate program, which has allocated more than $10 billion toward Internet infrastructure in K–12 schools and libraries since 1996 (see "World Wide Wonder?" *research*, Winter 2006).

At Thompson Elementary, set in a quiet working-class neighborhood, this top-down push was welcomed by teachers like Cherie Grogan, a math teacher and self-described "data geek." For years Grogan has been creating forms in Microsoft Excel to help teachers better understand their students' annual test results. She is one of the school's "skills specialists," four experienced teachers who support classroom teachers in specific subjects, including math, reading, writing, science, and bilingual education. In addition to modeling lessons for teachers and working with small groups of students, the skills specialists also regularly analyze student scores on diagnostic, formative, and standardized tests across classrooms, subjects, and grades. It is a responsibility they have always held and that has consumed an increasing amount of their time over the last decade as the district continues to emphasize the regular use of student assessment results to guide instruction.

This support begins even before the school year does: the week before students arrived last year, Thompson's skills specialists sat down with teachers to review the prior year's test scores (known as the Texas Assessment of Knowledge and Skills, or TAKS, the successor to TAAS) for 3rd and 4th grades (the only grades currently tested at Thompson) in order to identify gaps in skills and knowledge, and to develop preliminary plans for addressing those problems throughout the year.

Once the school year begins there are weekly meetings between the school's principal, Sara McClain, and the skills specialists to review data and plot strategies for supporting those students and teachers who need help. For example, when reviewing reading scores across the 4th grade, they found that many of the students were struggling with the concept of summarization. In the following weeks, two of the skills specialists with experience in teaching reading went into the 4th-grade classrooms to model additional lessons on summarization and worked separately with small groups of students who still weren't grasping the skill.

In addition to TAKS scores, the data gathered at Thompson Elementary come from diagnostic tests like the Texas Primary Reading Inventory, which is designed to measure students' skill levels and needs. As soon as scores from these beginning-of-year diagnostic assessments are available (usually in mid-September), the skills specialists sit down with McClain and a stack of printouts from TRIAND in one of their weekly meetings and assess which of their "kiddos" are struggling to read at grade level. As they flip through the spreadsheets, the skills specialists flag the students having trouble and bring the numbers to life with anecdotes about those students' work in the classroom. McClain encourages the specialists to follow up with each teacher to share the data and ensure that teachers have created small reading groups

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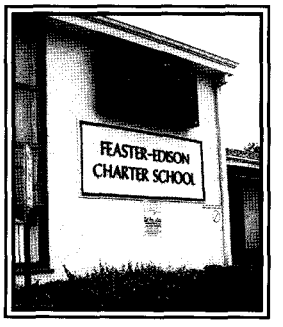
based on learning needs, as well as lunchtime or afterschool tutoring for those students still reading at low levels.

Like other schools in Aldine, Thompson Elementary also regularly administers its own tests to measure whether students are mastering the district's standards as well as the school's benchmarks. And although grading, analyzing, and discussing interim assessments takes an estimated three to four hours per month, even veteran teachers seem to consider the new responsibilities a help to their teaching, rather than a hindrance. "It's great to see where kids are performing, where my gaps are, and what I need to do," says Debra Bingham, a 16-year veteran teacher who now specializes in 3rd-grade reading.

Sara McClain, who has been principal at Thompson for eight years, says that despite some teacher turnover in the early years, as the district's instructional reforms took hold the remaining teachers came to embrace the new, more rigorous approach. "Teachers tend to come in early and stay late," she notes. They see the use of data "not as additional but as a part of instruction, their professional responsibility, and their high expectations."

The increased attention to the data seems to have paid off. Between 1994 and 2002, the percentage of Thompson students passing the state's math assessment rose from 65 to 98 percent. And even with the more rigorous state standards, the school has maintained a passing rate in the 90s since then. Principal McClain attributes this to a consistent, constant, schoolwide focus on student results. "Previously we were very scattered," she says. "We needed to increase expectations and get everyone going in the same direction around student achievement."

Mae L. Feaster-Edison Charter School



Location:
Chula Vista, California
Grades:
K–6
Enrollment:
1,134
Demographics (2004–05):
81% free or reduced-price lunch, 6% African American, 83% Hispanic, 53% English-language learners, 10% special education
Performance: For the 2004–05 school year, 32% of students in 2nd through 6th grades were proficient or above in language arts (compared with 17% in 2002), and 53% were proficient or above in math (compared with 23% in 2002).
Words to Teach By: ***"We don't want teachers to work harder, just smarter."*** (Principal Erik Latoni)

A Better View in Chula Vista

Fed up with years of dismal performance from its 1,100 K–6 students (four out of five of them poor), in 1997 administrators at Mae L. Feaster Elementary School in Chula Vista, California, just south of San Diego, decided to partner with members of the community and convert the school into a charter school. They gave management of the rambling block of "portable" and permanent buildings to Edison Schools.

Over the next eight years the reborn Feaster-Edison Charter School showed a steady improvement in student achievement, increasing average scores on the Stanford Achievement Test (or SAT-9) from the 19th to the 34th national percentile between 1998 and 2001 and from 17 percent to 32 percent proficient on English language-arts tests between 2001 and 2005.

A large part of the secret to Feaster-Edison's success, say the school's teachers and administrators, is its use of data. Feaster-Edison relies heavily on both standardized test scores and Edison's own benchmark assessments to inform and adjust instruction throughout the year. Before school starts each year, all the school's teachers are taught how to work with data as part of a weeklong "teacher academy." Also before the school year begins, teachers review student assessment results from the prior spring, both by student and by "strand" (groups of standards), on the California Standards Test, the state's annual standardized test for grades 2 through 11. The analysis is both retrospective, identifying instructional strengths and weaknesses, and prospective. Test scores are reorganized according to new classroom assignments so that teachers can use those data in preparing for the year ahead.

Reviewing student performance on the prior year's standardized tests can also highlight critical schoolwide issues. "Data start the conversation," says Principal Erik Latoni, who noted that one priority was to improve English-language development among all students, a decision prompted by data showing lack of improvement, or in some cases a decline, in students' English language skills. Latoni and his teachers decided that all lead teachers would attend two training programs that year to help them supplement student reading and writing skills with listening and speaking skills. He also asked lead teachers to discuss tactics for addressing the problem with other teachers in their upcoming "house meetings," daily gatherings in which all teachers within each grade level (or "house") gather in an empty classroom to discuss curriculum, instruction, and administrative matters. As a result of those meetings, for instance, 3rd-grade teachers created a writing rubric to regularly assess students' English-language skills and ensure that they are continuing to make progress.

These house meetings are also where teachers collaborate to analyze their students' results on Edison's monthly benchmark assessments. Edison uses state standardized assessments to create these tests; each month, students are tested

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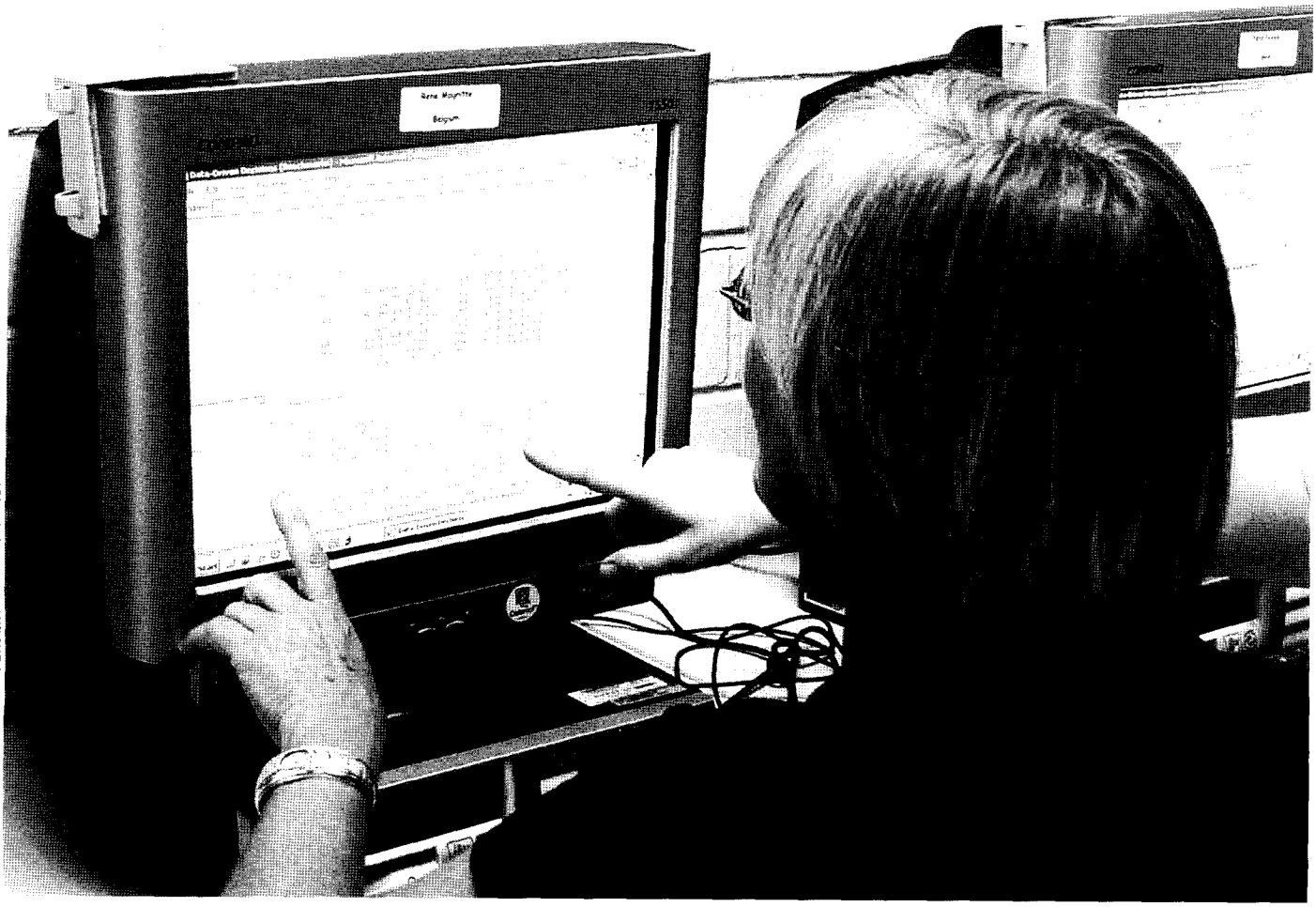

PHOTO / COURTESY ALDINE INDEPENDENT SCHOOL DISTRICT

The right data, provided at the right time and in the right way, can be a powerful driver for school improvement.

on a sampling of the standards they will be expected to master by the end of the year. At Feaster-Edison, benchmark assessments are administered on laptop computers wheeled into each classroom on a cart and connected wirelessly to Feaster-Edison's main system, making results available immediately to teachers and administrators. Before meeting with others in their grade, teachers are expected to examine their students' results and fill out a benchmark analysis form, provided by Edison, which asks what standards are not yet mastered, which students are not proficient in those areas, and what teachers plan to do about it. "You have to give teachers time to analyze data, and link the conclusions back to instruction, so that [using data] isn't just an activity. There should be a change in instruction," says Francisco Escobedo, the school's former principal and now a vice president of achievement for Edison.

In grade-level meetings, teachers compare data across the grade, looking for patterns and opportunities to borrow strategies from one another. The steps they take next vary according to teacher and grade. Fifth-grade lead teacher Joshua White looks at student performance on each "strand" of standards in reading, writing, and math, both within his own class and across the grade. He then takes a highlighter to the printout of results, marking strands on which a majority of the class struggled. In addition to covering the material again and making sure students understand the vocabulary used in those questions, he will often put some of the test items up on an overhead transparency and walk students through techniques for answering them.

Teachers also work together to determine how to cover standards that were missed the first time. For example, in the 3rd grade, all of the teachers use the same math curriculum at the same pace, so they are able to coordinate their reteaching where necessary. At the January benchmark assessment, data showed that many 3rd-grade students missed the test's two questions on statistics, so 3rd-grade teachers created new lessons on the subject and added them to the February calendar.

Such regular use of student achievement data at Feaster-Edison—and at all Edison schools, since the company's national office is also reviewing the data—reinforces the sense of accountability for student performance that is shared by teachers, principals, and Edison itself. "You have to see data as helping you be accountable for something that's really important to you," says John Chubb, chief academic officer of Edison Schools. "We are responsible for student achievement outcomes and scores. We are literally hired and fired on that basis."

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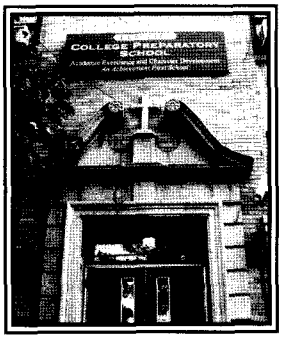
Elm City College Preparatory School



Location:
New Haven, Connecticut
Grades:
K-2, 5-6 in 2005-06 (with plans to add grades 3, 4, 7 and 8)
Enrollment:
Elementary–150; Middle–100
Demographics (2004-05): Elementary: 77% free or reduced-price lunch, 67% African American, 32% Hispanic, 8% special education; Middle: 74% free or reduced-price lunch, 82% African American, 18% Hispanic, 3% special education
Performance: Over the course of the 2004-05 school year, kindergarten and 1st-grade students reading at or above grade level increased from 26 to 96 percent; in the same period, 5th graders reading at or above grade level increased from 18 to 55 percent.
Words to Teach By: ***"Student achievement is the shining star; don't just 'report' student achievement data–use it, interpret it, analyze it."***
(Achievement First training manual for new principals)

Pioneering on the East Coast

Elm City College Preparatory School is located near New Haven's Wooster Square, an Italian neighborhood just a stone's throw from Yale University. The charter school opened its doors in the fall of 2004, with an elementary and a middle school crammed into a small building that had housed a Catholic school. The school is part of Achievement First, a nonprofit charter school management system founded in 2003 by two University of North Carolina graduates (Class of 1994), Doug McCurry and Dacia Toll. McCurry and Toll wanted to replicate the success of Amistad Academy, a high-performing charter middle school they opened in New Haven in 1999. Achievement First now runs 10 schools, serving nearly 1,700 students; five are in New Haven and five in New York City.

It was at Amistad that cofounder McCurry, who was also a teacher at the school, began to develop interim assessments to track his students' progress in math over the course of the year. "As a charter school, we were accountable for results, but there was confusion about whether we were getting there," says McCurry. Using the Connecticut state standards and previously released test items from the state's standardized test, the Connecticut Mastery Test, McCurry worked backward to develop a scope and sequence for the curriculum, as well as cumulative assessments that would be administered every six weeks.

Today, teachers at all Achievement First schools use a consistent scope and sequence of instruction, and progress is measured using interim assessments, modeled on the ones McCurry developed, to inform ongoing instruction in reading, writing, and math. Principals and Achievement First staff look at these and other student data to make initial plans, allocate resources, and make instructional decisions throughout the year. As with many other successful data-driven schools, at Elm City the work begins before school starts, when teachers and principals—both Dale Chu, who heads up the elementary grades, and Marc Michaelson, who oversees the middle school—use a variety of diagnostic tests to understand the ability and achievement levels of their incoming students.

So far, the Connecticut Mastery Test has been of limited use to Elm City because scores arrive after the school year is in full swing. Though the test is being revamped, Elm City is not convinced that standardized tests will ever add much value at the classroom level.

"Our number-one data point for driving instruction is the interim assessment," says middle-school principal Michaelson. These assessments are given manually, with paper and pencil, mirroring the testing conditions in which students take the state test, and hand-scored by teachers. Teachers analyze their own class results by completing a "reflection form," similar to Edison's benchmark analysis form, that requires them to list the questions and standards that were not mastered, the names of students who missed each question, and how they plan to work with those students to address those areas. The cost of these interim assessments to Achievement First is not insignificant: McCurry estimates that each one costs $500 to $1,250 to develop. With 12 separate assessments needed for each grade—6 for math and 6 for reading—and sometimes additional tests in subjects such as writing and grammar, the school could easily spend $20,000 for a single grade's tests; fortunately, each assessment can be used in all Achievement First schools in a given state.

The process of administering the test to a class, hand-grading each one, analyzing the class results, and discussing them takes each teacher anywhere from three hours for the reading assessment to seven hours for math.

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Data should launch a conversation about what's working, what's not, and what will be done differently as a result.

Administering, grading, and analyzing these assessments is also time-consuming, especially as the cumulative assessments get longer over the course of the year, covering all material taught to date. Michaelson estimates that the process of administering the test to a class, hand-grading each one, analyzing the class results, and discussing them with him takes each teacher anywhere from three hours for the reading assessment in the early part of the year to seven hours for math near the end of the year. For teachers, though, the value of this regular, specific data analysis seems to outweigh the hassle. "I am okay with the time it takes to grade and analyze the data because it's ultimately for my kids' benefit and mine as a teacher," says Seisha Keith, who teaches 6th-grade reading and writing.

Elm City has now created a data-collection culture that affects all aspects of the school, including how teachers are recruited, prepared, and supported. "Teachers have to be data-driven to get in the door," says Michaelson, who looks for evidence that prospective teachers have a quantifiable history of student achievement gains and are able to provide thoughtful explanations of how they have helped students improve. All new Achievement First teachers receive training on how to use interim assessments, while all new principals learn about how to analyze assessment results and have effective one-on-one conversations with teachers about the data.

The evidence so far suggests that Elm City is working for students. In its first year, 2004–05, the percentage of kindergarten and 1st-grade students reading at or above grade level increased from 26 to 96 percent; in the same period, the percentage of 5th graders reading at or above grade level increased from 18 to 55 percent. What's more, if the experience of Amistad Academy is any indication of Achievement First's potential here, then Elm City's improvement is likely to continue. Students in the class of 2004 at Amistad Academy went from 38 percent mastery in reading in 6th grade to 81 percent mastery in 8th grade. Their peers in New Haven public schools during this same period climbed slightly, from 25 percent mastery in 6th grade to 31 percent mastery in 8th grade. In math, Amistad students went from 35 percent mastery in 6th grade to 76 percent mastery in 8th grade, while their New Haven peers' performance declined from 24 percent mastery in 6th grade to only 19 percent mastery in 8th grade.

Lessons Learned

As the experiences of these three schools make clear, the use of data can help teachers and leaders stay focused on student achievement. These schools have all managed to achieve impressive results by using data on student performance in subjects like reading, math, and science, and yet all still manage to deliver a well-rounded curriculum that includes art, music, and physical education. They also discovered that not all data are the same, that data collection and analysis are only tools, and that the tools must be properly used to be effective.

Results from annual standardized tests can be useful for accountability purposes, but student progress must be measured on a far more frequent basis if the data are being used to inform instruction and improve achievement. To be useful in this way, interim assessments must be tied to clear standards. Another lesson is that ample time must be taken to analyze the implications of student assessment results, to plan for how instruction should be modified accordingly, and to act on those conclusions; otherwise, the data become more information that gathers dust on the shelf. Data should launch a conversation about what's working, what's not, and what will be done differently as a result. Administrators and principals must make explicit the time commitment necessary for capturing, analyzing, and acting on data, and support the work by scheduling time and allocating resources for it. In Aldine, district officials are looking at ways to build time for reteaching into the school year, based on feedback from teachers.

The results shown by these schools, however preliminary, were not achieved overnight. They are the product of steady and open analysis of student and school performance over many years. All of these schools have become collaborative, transparent communities in which information is shared freely and regularly as a means of focusing the entire school on improving instruction and increasing student achievement. Some, like Aldine and Feaster-Edison, have found that some teachers embrace these practices readily and that those who do not choose to work in other schools. Elm City, meanwhile, recruits teachers who are comfortable using data, so they are committed to this approach from the beginning.

Despite the progress made by these and other schools, there are still barriers to more widespread adoption of these practices. For example, the time and effort that teachers and administrators must spend on manual processes should be addressed by more streamlined technology systems. Technology could make a powerful difference by administering tests, automating their grading, and displaying data—to district leaders, principals, teachers, and students—in a timely way that makes strengths and weaknesses clear and next steps more obvious. The right data, provided at the right time and in the right way, can be a powerful driver for school improvement.

Julie Landry Petersen is communications manager at NewSchools Venture Fund, a nonprofit venture philanthropy firm based in San Francisco, California.

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Restoring Free Speech and Liberty on Campus

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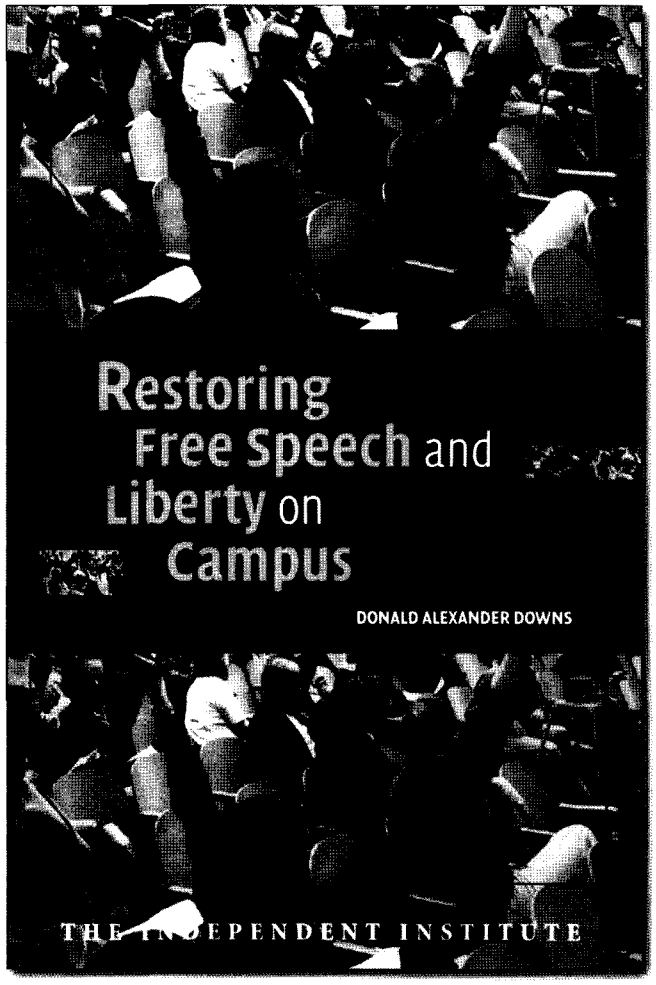

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Democrat Tim Kaine, the current governor of Virginia, campaigned on a platform that included universal pre-K education. In Hartford, Connecticut, Mayor Eddie Perez established an Office for Young Children within his cabinet. At the federal level, perhaps the most prominent early-childhood initiative that has come from the Bush administration is "Early Reading First," a national effort to deliver effective reading instruction to young children. Providing early learning experiences to children has found a place on political agendas nationwide. Why? Increasingly, early childhood education is viewed as a point of leverage for addressing low levels of, and gaps in, K–12 achievement.

What do we know about the quality of existing early-childhood programs? What does the research tell us about designing public policies to improve outcomes for children? Two recent large-scale studies of the early education system provide a contemporary perspective: the National Institute of Child Health and Human Development Study of Early Child Care and Youth Development (NICHD SECCYD) and the National Center for Early Development and Learning (NCEDL) Multi-State Pre-K study.

What We Know

1. Prior to entering kindergarten, American children spend time in a wide assortment of settings. Enrollment of 3- and 4-year-olds in early education programs now approaches 70 percent of that population and is growing annually. The disparities in educational opportunity before kindergarten are dramatic and easily explain many of the achievement gaps seen later on.
2. Despite extensive participation, too few of the students who are in the greatest need of high-quality early education experiences receive them, and the few who do are unlikely to receive them consistently once they enter the K–12 system.
3. Demand for early childhood education has grown far faster than the system's capacity to staff expanding programs. Universal pre-K programs for 4-year-olds will require at least 200,000 teachers, with estimates of 50,000 additional teachers needed by 2020. If high-quality services are to be provided, many more early-childhood educators need to be attracted into the profession and trained appropriately.

BY ROBERT C. PIANTA

Preschool Is School,

Making early childhood education matter

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The Research

The National Institute of Child Health and Human Development Study of Early Child Care and Youth Development (NICHD SECCYD) collected detailed information on achievement, social development, family experiences, child-care quality, and schooling for roughly 1,300 children at regular intervals from birth on, yielding data that have resulted in numerous influential papers on child care and family background effects on early achievement and social adjustment. The National Center for Early Development and Learning (NCEDL) work involved assessments of 750 pre-K classrooms and 2,500 children in 11 different states, with a focus on children's achievement and social competence in pre-K with follow-ups to 1st grade. (The NCEDL sample represents 80 percent of pre-K programs serving 4-year-olds in the United States.)

Both studies relied on direct, live observations in child care, preschool, and the early grades using standardized, objective measurements that provide a window on classroom settings and teachers in more than half the 50 states. The statistical methods employed to analyze these data are among the more sophisticated quasi-experimental approaches to isolating cause and effect in nonexperimental data.

The Early Childhood Longitudinal Study-Kindergarten Cohort (ECLS-K), a study of a nationally representative sample of children in the United States, also provides insight into variations in achievement among children as they go through school.

The findings described here are drawn from published, peer-reviewed empirical papers.

4. Rapid enrollment growth is intensifying the need for evidence-based training and ongoing support of early childhood educators. The approach that appears most promising provides teachers with extensive background in child development and focused, regular, individualized feedback about their classroom interactions with children.
5. Nearly every single piece of legislation, policy, or program design requirement involving early education and child care states that such programs must be of high quality. But the measures of quality are often limited to program components; they are seldom direct assessments of children's instructional and social experiences in classrooms. Estimates of "quality" that rely on these proxies may not correspond to the experiences that produce social and academic skill development.

How Can We Best Measure Quality in the Early Education Classroom?

The evidence is quite clear that it is the teacher's *implementation* of a curriculum, through both social and instructional interactions with children, that produces effects on student learning. Classroom observations thus provide the most valid information on the educational experiences of young children. Structural indicators, such as the curriculum being used, teacher credentials, and other program factors, are only proxies for the instructional and social interactions children have with teachers in classrooms. Yet many states and localities measure program "quality" only in terms of proxies—the credentials of teachers, the size and spaciousness of the facilities, the amount of learning material available, and the length of the preschool day. Except for the last characteristic, these "quality indicators" do not measure what programs offer young children that is educationally important. Still, these indicators often drive program design and policy.

Even the value of experimental studies of program quality can be limited, especially when going to "scale." For example, experimental work can identify effective approaches to teaching literacy for the relatively small group of teachers who participate in such studies. Yet when these approaches are disseminated to large groups of preschool teachers through districtwide training or college courses, such approaches typically have a much-reduced effect on outcomes, often because the quality of implementation is low. In short, teachers' implementation of instruction through their interactions with children is a critical and typically underemphasized aspect of early childhood program quality. Judging accurately the quality of implementation requires observing what is happening in classrooms.

What Does a High-Quality Early-Childhood Education Classroom Look Like?

The best early childhood teachers are opportunists—they know child development and exploit children's interests and their interactions with them to promote developmental change—some of which may involve structured lessons and much of which may not. To be effective, teachers of young children must strategically weave instruction into activities that give children choices to explore and play. Several aspects of teachers' interactive behaviors appear to uniquely predict gains in young children's achievement:

- explicit instruction in certain key skills
- sensitive and emotionally warm interactions
- responsive feedback
- verbal engagement/stimulation
- a classroom environment that is not overly structured or regimented.

My colleagues and I examined whether children at risk of low achievement in the early grades would benefit from being exposed to high levels of observed instructional and emotional support from teachers. We studied the effects on two groups of at-risk children: those whose mothers had less than a four-year

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college degree and those who had displayed significant behavioral, social, and/or academic problems. Both groups were, on average, behind their peers at age 4 and further behind by 1st grade. When the children at risk were placed in high-quality classrooms, these gaps were eliminated: children from low-education households achieved at the same level as those whose mothers had a college degree, and children displaying prior problem behavior showed achievement and adjustment levels identical to children who had no history of problems. At-risk children who did not receive these supports did not show these gains.

Only about 25 percent of classrooms serving 4-year-olds provided students with the high levels of emotional and instructional support that are needed.

The results are consistent with other studies that show a substantial return (up to 50 percent of a standard deviation on standardized achievement tests) to achievement from observed classroom quality, with greater effects often accruing to children with higher levels of risk and disadvantage. (The size of the well-known racial gap in test-score performance is between one-half and one standard deviation.) Experimental studies, although few and involving small numbers of children, show similar effects. In fact, findings are almost uniform in demonstrating significant and meaningful benefits for enrollment in early education settings in which teacher-child interactions are supportive, instructive, and stimulating. These "effects" studies, however, do not provide information on the prevalence and distribution of supportive, "gap closing" classrooms within the system of early education and care, or how to produce gap-closing settings.

How Good Is the System We Have?

Most children in pre-K, kindergarten, and grade 1 classrooms are exposed to quite low levels of instructional support and only moderate levels of social and emotional supports—levels that are not as high as those in the gap-closing, effective classrooms described above. The quality of instructional interactions, particularly the dimensions that appear to matter most for children's achievement, is particularly poor (see Figure 1).

In nearly every study that includes a large number of classrooms, there is also wide variability in the opportunities that contribute to improved achievement. Observations of child-care settings and pre-K, kindergarten, and 1st-grade classrooms show that some children spend most of their time engaged in productive instructional activities with caring and responsive adults who consistently provide feedback, challenges to think, and social supports. Other children, *even in the same program or grade*, spend most of their time passively sitting around, having few if any interactions with an adult, watching the teacher deal with behavior problems, exposed to only boring and rote instructional activities. While children in some classrooms are exposed to few, if any, literacy-focused activities, youngsters in other classrooms receive more than an hour of exposure to literacy-related activities, including narrative storytelling, practice with letters, rhyming games, and listening. In some cases, even in classrooms right next to one another that share the same materials and curriculum, the exposure of children to high-quality learning and social supports is so dramatically different that one might conclude the difference was planned.

Among the state-funded pre-K classrooms in the NCEDL study, we found that only about 25 percent of classrooms serving 4-year-olds provided students with the high levels of emotional and instructional support that are needed. No less troubling is the equally strong evidence that preschoolers lucky enough to have such support in pre-K are not likely to be enrolled in similarly high-quality classrooms in kindergarten or 1st grade. In those grades as well, only about one-quarter of classrooms are providing the instructional and emotional nurturing that young children require. Unfortunately, exposure to gap-closing classroom quality, although highly desirable from nearly every perspective imaginable, is not a regular feature of early schooling and even less likely for children in poverty. In other words, the odds are stacked against children getting the kind of early education experiences that close gaps. This is not to say that early education does not work—evaluations of universal pre-K in Oklahoma, for example, show that enrollment produced gains for children's achievement. The challenge is determining how to strengthen and improve the early childhood education system as it expands.

Training the Teachers

The uneven distribution of high-quality early education classrooms in the United States reflects several factors. First, teaching young children is often difficult and uniquely challenging. Second, teaching in early education programs that

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target children who live below the poverty line can be even more challenging, especially if the class includes many youngsters who need extra support. Teachers in these programs may require even more assistance than is generally assumed. Third, the system of early education operates on a shoestring of support: it is for the most part less well funded than K–12, with classrooms housed in trailers, basements, or makeshift locations with fewer resources. Finally, early childhood teachers describe themselves as alienated from and lacking the supports available in K–12. This is a fragile and vulnerable system that is increasingly being asked to ameliorate social, economic, and educational disparities.

Given the early education system in place, what can be done to make sure those children who most need high-quality experiences will have them? An obvious place to look for leverage is in the preparation teachers receive. Unlike the K–12 system, in which the supply chain for teachers is regulated by a single state entity, training of the early education and child-care workforce is widely distributed and loosely regulated. Ninety-five percent of the workforce in formal preschool and early education programs come from four-year and two-year early childhood training programs or are certified teachers from the K–12 system. Much less is known about the training and skills of adults who staff family-based child care and informal care. In short, there is no easily identifiable and easily regulated pipeline for training the early education workforce, a clear challenge for policymakers.

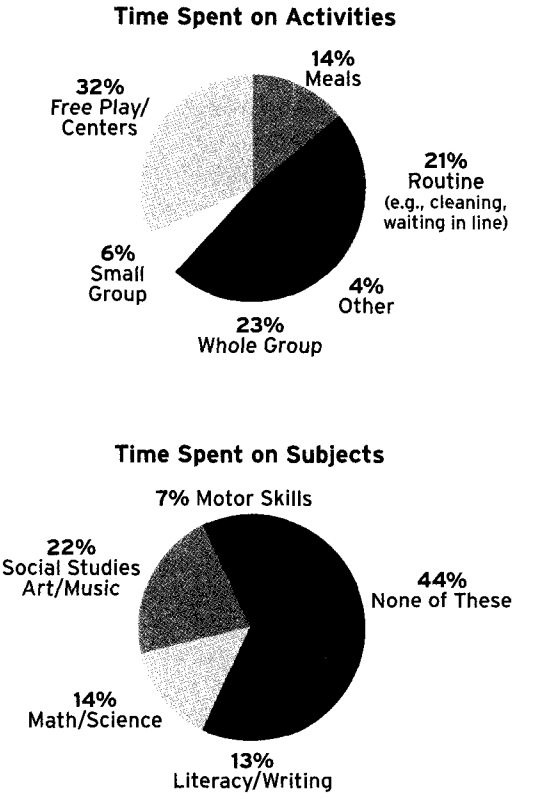
Further, as with program quality, the standard measures of teacher quality (degrees, experience) are not reliable proxies for what teachers do in the classroom. So policies that mandate the accumulation of course credits, advancing in terms of degree status (e.g., from A.A. to B.A.), or attending workshops, by themselves are not likely to produce teachers with high-quality classroom skills or necessarily contribute to children's achievement. In fact, the NCEDL 11-state pre-K study demonstrated that even in state-sponsored pre-K programs with *credentialed* teachers with bachelor's degrees (many of which are located in school buildings), variation in observed curriculum implementation and quality of teaching was considerable. Similar conditions prevail in K–12. Even if the entire early education workforce had four-year degrees, classroom quality would remain uneven.

What we do know is that pre-K teachers' training in child development, experience in working with young children, and support systems focused on their instructional behaviors and classroom management do matter—for the quality of both of teachers' social interactions with children and their implementation of curricula. Knowledge of child development and application of that knowledge in preschool settings are emphasized as much in two-year training programs as in four-year programs, if not more. Thus, when teacher training focuses on knowledge and skills involved in interacting with young children, it will likely have more beneficial consequences than simply requiring teachers to add a course here or there.

Regardless of how they get into the classroom, or whether they meet state certification, teachers in early education programs will continue to require training and support if these programs are to live up to their promise. Thoughtful and effective policies for developing a professional workforce will have to include a mix of incentives for pre-K teachers that may be different from those designed for teachers in K–12; provide training that is focused on classroom practices and the specific challenges of teaching young children; and improve the alignment of early childhood education with K–12.

Behind the Pre-K Veil (Figure 1)

A six-state study of state-funded pre-kindergarten programs conducted between 2001 and 2003 found that many children spent very little time on the activities known to have the most value—hearing stories and developing early reading skills.



SOURCE: National Center for Early Development and Learning, "NCEDL Pre-Kindergarten Study," *Early Developments* (Spring 2005)

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The Challenges Ahead

Findings about the nature and quality of children's experiences in early education settings should spark an interest in raising the quality of classroom supports broadly available to young children, particularly in settings funded with public dollars. One option is to focus on structural features of schools and classrooms, such as teacher education and certification, class size, and curriculum, and enact policies to ensure that these proxies for quality are uniformly in place. The available data do not provide compelling support for this strategy, although it should not necessarily be discarded altogether. Some core components of the infrastructure may be essential to a system of educational programming that is both accountable and linked to K–12.

Any given classroom and teacher may only need to be observed for a few hours to achieve a reliable description of practice.

Another option is to focus on what teachers do in classrooms and find direct ways to measure and improve the instructional and social interactions teachers have with children. A first step in that direction would be to standardize descriptions of teacher-student interactions. A second step would be to design more-effective professional development and training systems for teachers, a project that could also benefit K–12. Such systems, if organized around direct assessments of teacher and classroom quality, based on strong and valid metrics and tied to new or existing incentive systems, could be a cost-effective means of producing real change for teachers and children.

Recent work suggests that direct training methods, such as mentoring and coaching and constructive feedback based on observation of teachers, can improve early education practice and children's performance. My colleagues and I are developing technologies for conducting classroom observation at scale—in many hundreds of classrooms. This research involves measurement of settings to provide data that can support decisionmaking. For example, we find that repeated observations of the same teacher are highly consistent from day to day and hour to hour. Thus we suspect any given classroom and teacher may only need to be observed for a few hours to achieve a reliable description of practice that could serve as the basis for a professional development plan. We are also experimenting with alternatives, such as remote observation, that may keep costs down while ensuring a high degree of reliability in measurement. It may soon be feasible to observe teachers and classrooms on an annual basis using an instrument that assesses the dimensions of classroom experience that contribute to child achievement. Because these measurements are predictive, we can create video-based models of "high-quality practices." These can serve as the basis for courses, coaching, and mentorship of teachers within systems of professional development designed specifically to improve teachers' interactions with children.

Along with observing classrooms and measuring social and instructional interactions, it is essential to design and test models for improving teachers' provisions of opportunities to learn. My colleagues and I plan to conduct a program of experimental research through the new National Center for Research on Early Childhood Education. Although limited at present, such efforts can systematically build knowledge of the factors that contribute to teachers' skills in providing strong instructional and emotional support in the classroom. Daunting challenges remain, but the science of early education holds considerable promise for further development and scaling up of effective approaches for training and supporting the teachers of our youngest, and often most vulnerable, citizens.

Robert C. Pianta is professor of education at the Curry School of Education and director of the Center for Advanced Study of Teaching and Learning, the University of Virginia.

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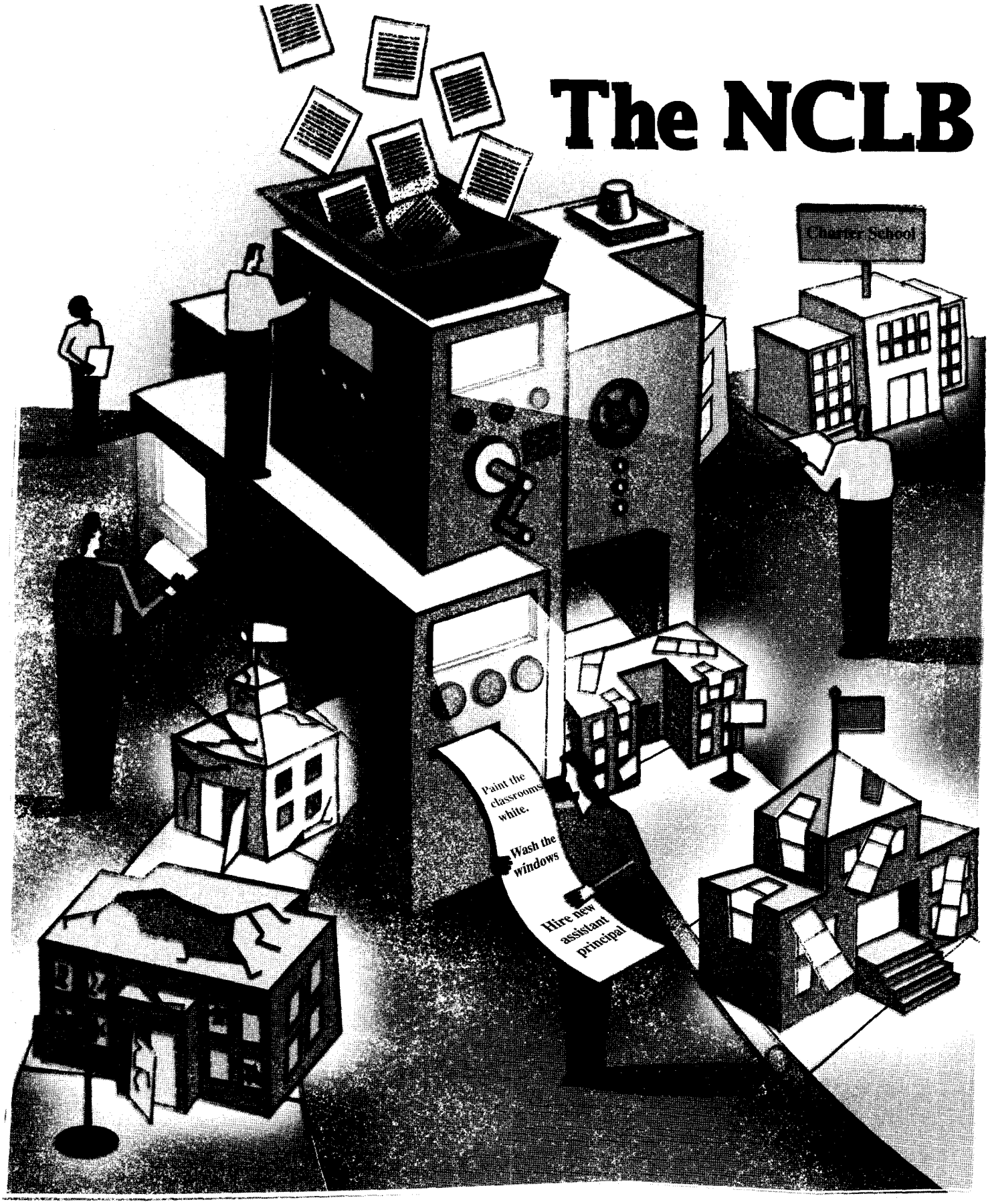
The NCLB



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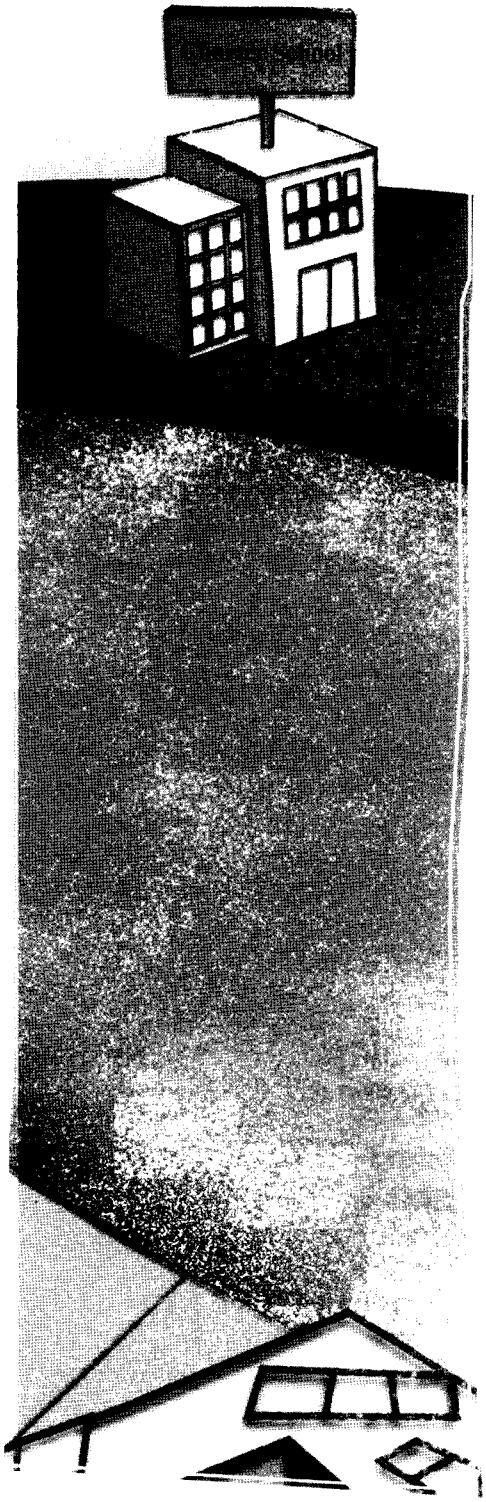
Restruct-a-tron



Does the law's great big machine for overhauling schools produce anything worthwhile?

Schools that fail to make Adequate Yearly Progress for six consecutive years are subject to the accountability provisions of No Child Left Behind. The restructuring options prescribed by law include strong measures, such as turning failing schools into charter schools or allowing the state to take them over. But some of the options amount to little more than revising the administrative staff. Sara Mead examines the sparsely populated restructuring landscape and reports that most locales are opting for the easy way out. Nelson Smith explains why, if failing district schools are to reopen and become successful charter schools, they need first to close.

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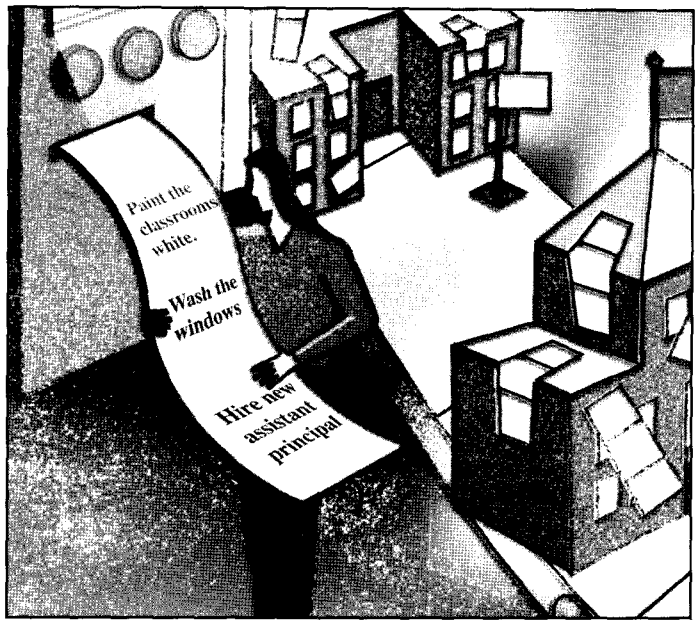
Easy Way Out

"Restructured" usually means little has changed

BY SARA MEAD



The passage of the No Child Left Behind Act (NCLB) in 2001 brought new urgency to the task of turning around low-performing schools. Under the law, states must evaluate schools according to the standard of Adequate Yearly Progress (AYP). Schools that do not meet AYP are identified as needing improvement and subject to a series of escalating interventions. These interventions begin with school choice and supplemental tutoring for students in the low-performing school. They culminate in possible closure, state takeover, privatization, or conversion to a charter school—controversial consequences highlighted in newspaper articles about the law.

While many schools have been identified as needing improvement under NCLB, only a small percentage have failed to make progress for long enough—six years—to be subject to restructuring, the most serious consequence for schools under the law (see Figure 1). In the 2005–06 school year—the fourth year since passage of NCLB—there were some 1,750 schools in 42 states in NCLB restructuring. That number is expected to grow dramatically over the next few years. As schools move along the school improvement timeline and standards rise toward the goal of having all students proficient, states and school districts face questions about how aggressively to act when schools persistently fail to perform.

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The Roots of NCLB

The No Child Left Behind Act was not the first federal legislation that sought to catalyze change in chronically low-performing schools. It builds on school improvement provisions in its predecessor, the Improving America's Schools Act of 1994 (IASA), which first required states and school districts to identify schools in need of *school improvement*. Schools that continued to perform poorly were identified for *corrective action*, a more aggressive intervention. Later Clinton initiatives targeted federal resources to improve low-performing schools.

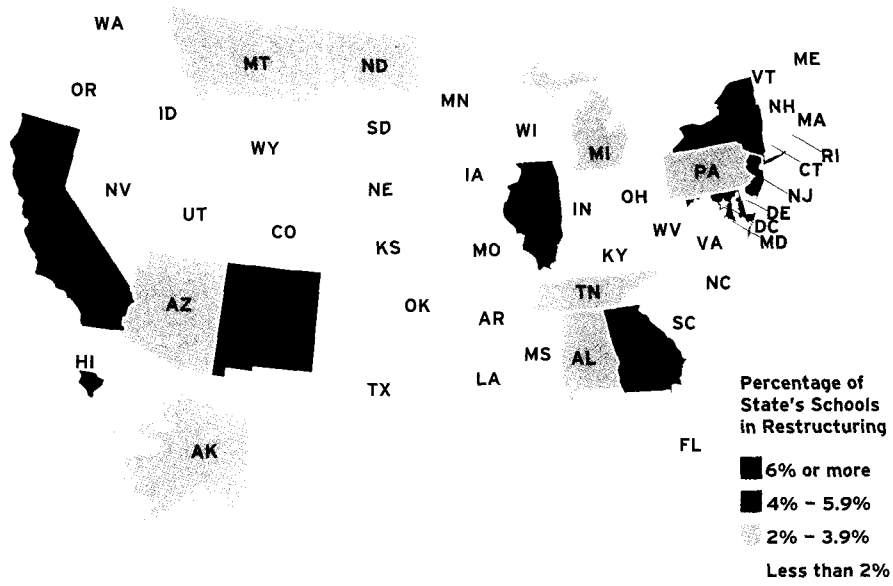
IASA's school improvement measures proved disappointing to many reformers. By 2001, it was increasingly clear that many schools were stagnating on school improvement and corrective action lists with little change. In fact, some did not even know they were on the lists at all.

The authors of the No Child Left Behind Act wanted to force districts and states to take more aggressive steps to improve low-performing schools. They added a third layer of consequences—*restructuring*—for schools that continue to perform poorly even after several years of school improvement and corrective action. After a school fails to make AYP for five consecutive years, it must develop a restructuring plan, which goes into action if the school fails to make AYP for a sixth consecutive year. NCLB provides several options for schools in restructuring:

- Close and reopen as a charter school
- Replace relevant school staff
- Turn the school's governance over to the state
- Contract with a private management company to operate the school
- Any other major restructuring of the school's governance designed to produce major reform.

Slow Changes (Figure 1)

In the 2005–06 school year, in only 16 states were 2 percent or more of schools in restructuring.



SOURCES: Department of Education; National Center for Education Statistics, "Digest of Education Statistics, 2005"

The Early Record

Because it takes five years for a school to get to restructuring, few schools faced this consequence in the years immediately following NCLB's passage. Many states that had established accountability systems under IASA already had schools in improvement or correction when NCLB passed. Some of these schools have since become subject to restructuring. California and Michigan, for example, have been dealing with school restructuring under NCLB for multiple years.

Results have varied widely. The Center for Education Policy has closely studied the restructuring efforts in Michigan and California. Of 133 Michigan schools in restructuring in 2004–05, 113 were able to make AYP that school year. Of these, 26 made AYP for a second consecutive year, moving out of restructuring and resetting the clock for school improvement. While these results seem impressive, they must be taken with a substantial grain of salt. Michigan made changes to its accountability plan that year, which made it easier for schools to make AYP. California, by contrast, increased its AYP targets for the 2005–06 school year. The number of California schools in restructuring grew from 271 in the 2004–05 school year to 404 in 2005–06.

Taking the Easy Way Out?

During the 2004–05 school year, 13 states had schools in restructuring: Alabama, California, Colorado, Georgia, Hawaii, Maryland, Michigan, Nebraska, New York, Ohio, Oklahoma, South Carolina, and Tennessee. Instead of takeovers, closures, and other dire options mentioned in press coverage of the law, most states and school districts have chosen less aggressive interventions.

According to analyses by the Education Commission of the States (ECS) and the Center for Education Policy, the most popular restructuring option

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chosen by schools, across all these states, was "any other major restructuring." The only other option taken by a significant number of schools was to replace or remove staff, which most schools did in a limited way—in many cases simply replacing the principal—rather than undertaking the broader staff reconstitution NCLB suggests. The most drastic restructuring options—conversion to a charter school, state takeover, or contracting with a private management company to operate the school—were used by few schools, and not at all in many states.

It is not surprising that many schools chose to develop their own options rather than select from the restructuring options NCLB offers. Some of these are quite controversial and potentially painful for schools and their employees. Many of the activities undertaken by schools under the guise of "other major restructuring," however, seem far less aggressive than what the law's authors probably had in mind (see Figure 2). The state of Michigan allows schools to meet NCLB's restructuring requirements by hiring a state-trained "coach" to advise the school's staff and implement improvement plans. While this approach seems to help some Michigan schools, it hardly makes major changes to a school's governance or carries serious consequences for its employees. In fact, the coaching strategy sounds strikingly similar to the less intrusive options offered to schools in the corrective action stage that precedes restructuring. A number of schools appear to have responded with whole-school reform models or a new curriculum—also options for schools in corrective action. An ECS report notes in some cases that "corrective measures end up serving as the restructuring plan."

For example, two chronically low-performing K–5 elementary schools in Harrison, Michigan, were targeted for NCLB restructuring. The district's response was to reconfigure the grades. One school now serves all the district's kindergarten and 1st graders, and the other is divided into two "schools within a school" that serve students in grades 2–3 and 4–5. The district created grade-level teacher teams in each school and hired a coach to provide professional development to teachers. It appointed a governance committee of community members and outside educators to advise the principal.

Willow Run Middle School, also in Michigan, responded to the restructuring mandate by moving to a new building, replacing the principal and some staff, and implementing a comprehensive school-reform model.

Clearly many school and district leaders would rather not undertake governance changes that could spark controversy or have negative consequences for them. But in truth, these are not always real options. States including California, Colorado, Georgia, Michigan, and Nebraska have ruled out state takeovers for schools in restructuring, because either state law does not permit it or the state department of education lacks the capacity to manage a significant number of schools. Charter conversion is not an option in the 11 states that lack charter laws, nor is it a practical possibility for more than a few schools in the several states with caps on the number of charters available (see "The Cure," *what next*, Fall 2006).

Political realities can also take restructuring options off the table. In spring 2006, Maryland state superintendent of public instruction Nancy Grasmick sought to take over 11 chronically low-performing Baltimore schools that were subject to restructuring and convert them to charters or contract their management with private companies. Maryland would have been the first state in the country to take over schools for NCLB restructuring, but Grasmick's efforts met with intense political opposition from Baltimore's mayor and other political leaders, and the state legislature passed a bill blocking the takeover. The response surprised state board of education member David Tufaro: "We did not envision the level of hostility to the point of obscuring the facts about the abysmal state of these 11 schools."

Governor Nancy Grasmick's efforts to take over Baltimore schools met with intense political opposition from Baltimore's mayor and other political leaders, and the state legislature passed a bill blocking the takeover.

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Dramatic Intervention Isn't Always the Best Course

Are state, district, and school-level policymakers and educators generally avoiding the hard steps needed to improve chronically low-performing schools? Certainly, the history of school accountability and efforts to improve low-performing schools under IASA would justify such suspicions, and some examples of what schools are doing in response to NCLB restructuring sound very feeble.

But there are some legitimate reasons for schools to stop short of NCLB's more punitive restructuring options. For some schools, less aggressive restructuring steps may be appropriate and may improve student achievement. Some schools that fail to make AYP for years are not performing poorly across the board. NCLB holds schools accountable for performance of subgroups—major racial and ethnic groups, students with disabilities, and English-language learners. Interventions targeting parts of the education program may be more appropriate than full-scale restructuring. In addition, schools are in corrective action for only a year before they must begin planning for restructuring. Continuing corrective action reforms may be better than replacing them with another set of reforms so quickly.

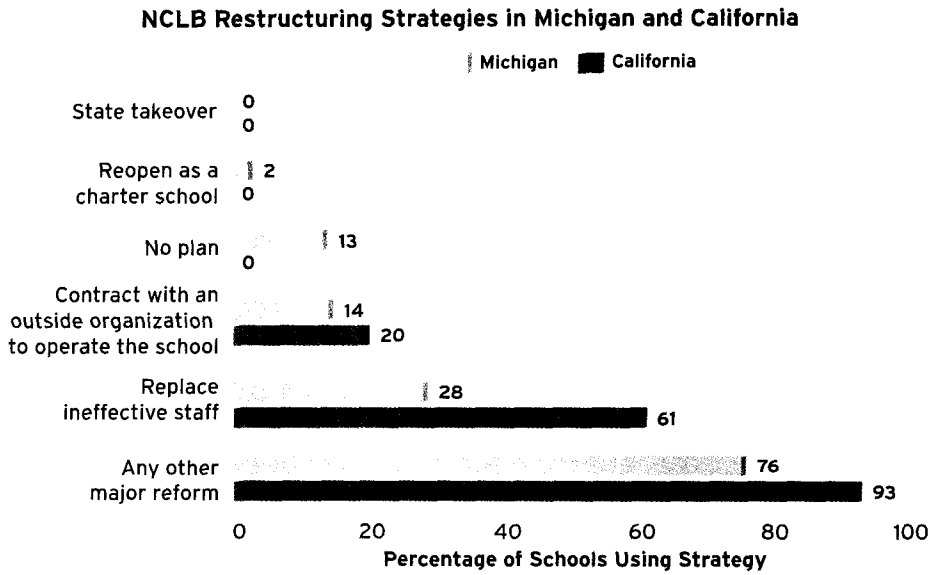
Nor does converting a school to a charter guarantee better performance. Overall, charter school performance is undercut, nationally and in many states, by a subset of low-performing charters that face the threat of NCLB restructuring themselves. Funding inequities for charter schools that persist in many states also mean that schools may have fewer resources after converting to charter status than before—hardly a circumstance conducive to improvement. Some national charter-school leaders fear that school districts may view charter conversion as an easy way to remove low-performing schools from their books without taking the responsibility to actually improve them. Such conversions could lower average charter-school test scores and become a black eye for the charter movement.

The probability of this threat materializing is decidedly slim, as schools and districts hardly seem eager to choose charter conversion. Michigan has a robust charter sector and 5 percent of its students in charters, but not a single Michigan school in restructuring has converted to a charter. Only 2 percent of the 271 California schools in restructuring have done so. Colorado passed much-noted legislation requiring any school that receives three consecutive "unsatisfactory" ratings under the state accountability system to convert to a charter. The criteria for schools to receive an "unsatisfactory" rating are different from AYP, so schools in restructuring are not necessarily rated "unsatisfactory." The charter conversion option was not applied to any of the schools that the state had in restructuring under NCLB in 2004–05. Denver's Cole Middle School reopened as a charter in fall 2005, too recently to judge the results.

So far, no states have taken over schools as part of NCLB restructuring, and the number of charter conversions

The Path of Least Resistance (Figure 2)

Of the 533 schools restructured in Michigan and California, the vast majority took advantage of the vague "any other" option available under No Child Left Behind (NCLB).



Note: Michigan data are from 2004-05, and California data are from 2005-06. Percentages do not add to 100 percent because schools were allowed to employ more than one option.

SOURCES: Center on Education Policy, "Wrestling the Devil in the Details: An Early Look at Restructuring in California," February 2006; Center on Education Policy, "Hope but No Miracle Cures: Michigan's Early Restructuring Lessons," November 2005

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or privatizations is still quite small. Separate from NCLB, however, many states and cities have undertaken high-profile and often controversial initiatives to take over, reconstitute, or turn around low-performing schools. The record of these efforts is decidedly mixed and hardly encouraging. In a 2003 study for the Thomas B. Fordham Institute, Ronald C. Brady surveyed school turnaround efforts implemented by states and districts and did not find any intervention approaches with success rates of more than 50 percent. Further, the political drama that surrounds takeovers, privatization, and similar efforts can itself become an obstacle to improving student achievement.

There is an odd tension running through many of NCLB's accountability provisions between creating serious consequences that hold educators and schools accountable and the law's goal of improving student achievement. These goals are not always aligned. Clearly, there are circumstances in which reconstitution or new governance will be essential to extricate a school mired in dysfunction and allow its employees to work effectively to improve student learning. But when, for example, a school is failing to make AYP only for some subgroups, targeted interventions may serve children's interests better than closing or reconstituting the school. State and local leaders need some flexibility to make the right choice. Instead of focusing on the severity of the strategies applied to schools in restructuring, a more significant question is whether they are aligned with the areas in which the school needs to improve and implemented well.

As the number of schools subject to restructuring increases, so will pressures on states and school districts to look for easy ways out. All of the restructuring options NCLB offers can be implemented in ways that circumvent the law's intent.

Looking Ahead

As the number of schools subject to restructuring increases, so will pressures on states and school districts to look for easy ways out. All of the restructuring options NCLB offers can be implemented in ways that circumvent the law's intent. Whether countervailing forces—federal pressure, political pressure from organized parent groups, or conscientious officials committed to the law's goals—are strong enough to force states and districts to implement meaningful turnaround efforts remains to be seen, but the evidence so far is not encouraging.

There are also important questions about NCLB itself and the limits of federal legislation to compel states and school districts to undertake significant reforms. Under NCLB, school improvement and corrective action provisions were strengthened, and restructuring provisions added, to compel states, districts, and schools to intensify efforts to turn around low-performing schools. This has clearly been successful on some counts—at least schools now know if they are on school improvement or corrective action lists.

But is the law compelling states and districts to fundamentally overhaul chronically failing schools? That's unclear. The quality of schools in restructuring varies greatly. The same flexibility that allows states and school districts to use less-punitive restructuring approaches when they are appropriate could also allow them to avoid applying tough consequences to schools that really do merit them. Is it even possible for federal policies to compel state and local officials to make controversial and painful reforms? Are there new levers with which federal officials can better encourage states and districts to make difficult choices? Can NCLB's accountability mechanisms be made more precise, so that they would compel significant reconstitution in chronically dysfunctional schools without catching in the net schools that, while in need of improvement, do not require dramatic reconstitution? Or will NCLB's restructuring provisions provide another example of the futility of intergovernmental accountability? These questions should be at the heart of debate over NCLB's upcoming reauthorization, and their importance will only intensify as the number of schools in restructuring grows in the coming years.

Sara Mead is senior policy analyst with Education Sector.

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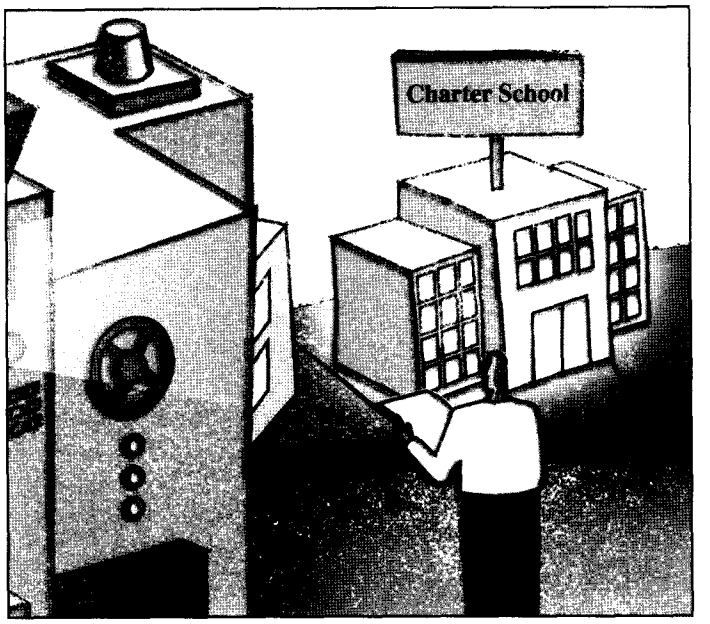
Charters as a Solution?

So far, states and districts have opted for anything but

BY NELSON SMITH



The restructuring provisions in No Child Left Behind (NCLB) are a Rorschach test for charter supporters. To the Market Optimists, the six brief paragraphs of NCLB Section 1116 look like the greatest growth opportunity ever. "Reopening the school as a public charter school" is Option #1 on the list of NCLB's restructuring alternatives. All those dysfunctional schools, "needing improvement" for years, all prior remedies exhausted—where else would parents turn but to charter schools?

The Glass-Half-Empty crowd has worried deeply, fearing that under the guise of restructuring, district officials would take their worst-performing schools and slap a charter label on them. Think about it: You're a superintendent with some pretty good schools and a dozen lousy ones. Invoke NCLB, charter them out, and in one fell swoop you have moved the bottom feeders from the district column to the charter column. Your district scores skyrocket, and all those that failed to make Adequate Yearly Progress (AYP) ... well, you know, they're charter schools.

A third faction, let's call them the Prudent Expansionists, have thought it just dandy that NCLB would invite bad schools to close and reopen as good ones, but doubt that the charter sector has the capacity to restructure vast swaths of failing public schools. Despite the increasingly impressive performance of many charter schools nationally and some stunning charter-driven turnarounds at Sacramento High in California and other sites, the Prudent Expansionists doubt that charter folks know any more than traditional educators do about turning around failing schools en masse.

As luck would have it, these theories have not gotten much of a test drive in the past five years. The vast flowering of NCLB charters is still sitting there in the subjunctive case. With so many schools

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A Lesson in Restructuring: Try Something Different

Margaret Fortune gained renown as founding superintendent of St. Hope Public Schools, a California charter district that emerged from the closure of Sacramento High School. When she became director of Governor Arnold Schwarzenegger's Initiative to Turn Around Failing Schools, the first thing she did was to look at how the state had traditionally dealt with failing schools. California's state education department had a long-standing program called Immediate Intervention/Underperforming Schools. What did she find? Over the course of eight years, the department had used the same strategy for every turnaround attempt: send in more resources and a state technical-assistance team. Fortune understood that a big part of her job was to get local and state officials to try something—anything—different.

in need of improvement and so many parents demanding more public school options, how is this possible?

One explanation is that states have driven some statistical Mack trucks through NCLB's precise-sounding text. Schools don't qualify for mandatory restructuring until they fail to make AYP, the state-determined proficiency target, for five consecutive years. All schools must reach the 100 percent proficiency mark by 2014, but can do so by an assortment of trajectories. Most states chose a very long takeoff, with the bar staying low for the first six or eight years, followed by a sharp upward thrust, with breathtaking gains required after that. (Some cynics thought the timetables were designed to defer the day of reckoning until current officeholders had retired, or until the law itself was gutted or repealed.) In any case, state accountability plans have delayed any spike in NCLB-driven restructuring that might have generated demand for charters.

... And the Last Shall Be First

Maybe there's some naiveté in the act as well. NCLB made the bold assumption that states and districts would voluntarily turn over the reins to charter operators. The authors of the legislation must have thought, with so many sticks beating on the backs of schools (test-disaster headlines, parents leaving in droves), the carrot of fundamental change would be irresistible. And it might have been—if it weren't for Option #5.

Scroll down, past all those tough, unrelenting sanctions, and Option #5 says, Whew! You can also try "Any other major restructuring of the school's governance arrangement that makes fundamental reforms."

Game over. As researcher Rebecca Dibiase reported in a September 2005 review for the Education Commission of the States, "Most school plans call for activities that fall under 'any other major restructuring of the school's governance arrangement,' or Option #5 in the legislation.... This option covers an array of activities, such as modifying curriculum, altering the school's management structure or choosing a school reform model."

Sure, the reforms must be "fundamental," but once *any other* appears, you know that "fundamental" will start to include things like creating a parent advisory committee or freshening the place up with a really nice coat of paint.

Paths of Least Resistance

So far, states are enthusiastically ignoring the opportunity for fundamental reform. According to two recent reports by the U.S. Department of Education, the early returns on NCLB restructuring are none too promising. A study of Title I accountability shows that as of 2004, only 1 of 12 states with Title I schools identified for restructuring reopened a school as a public charter: 1 turned over operations to the state, 2 states replaced school staff, and 8 took no action.

A separate report on implementation of Title I up to 2005 found similarly slim effect, with by far the most common "restructuring" action being hiring a new principal. Indeed, some 24 percent of the 1,065 Title I schools identified for restructuring replaced the principal. (Hold the applause. Researchers noted that "this may partly reflect normal principal turnover....")

Leaders in only one state have stepped boldly forward and included chartering among sanctions for low-performing schools. Maryland's state superintendent of schools, Nancy Grasmick, proposed the takeover of 11 Baltimore schools, all of which had sat on the state's watch list for at least a decade. Some would have been chartered; others would have been operated by a third party with charterlike autonomy. The proposal kicked up howls of protest from Baltimore politicos, who wrapped themselves in the mantle of local control. By far the best commentary on this spectacle was provided by my colleague at the National Alliance for Public Charter Schools, Andy Smarick, in a biting April 2006 *Baltimore Sun* op-ed: "If the city's leadership has the right answers, it has the opportunity to prove it by turning around its 43 *other* failing schools."

Traditional districts may have even less incentive than states to embrace chartering. The numbers suggest that chartering is an unwelcome responsibility for many. According to a Thomas B. Fordham Institute study, roughly 90 percent of authorizers are districts, but districts oversee only 52 percent of charter schools. Most do one or two charters and never develop the skills and attitudes of first-rate authorizers.

Exceptions to the Rule

There are some important exceptions. Chicago Public Schools has authorized a cluster of remarkably high-performing charter schools. Through its Renaissance 2010 program, the city is methodically closing its lowest-performing schools and then reopening them as charters, contract schools, or Performance Schools, which are highly autonomous but run by the district. The two processes—close and reopen—are quite separate. To ensure a supply of new school options, the city conducts an RFP

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process rather than trying to convert existing public schools.

Other good examples of using the charter option for district-wide sponsored restructuring are regrettably scarce. Under the leadership of former superintendent Alan Bersin (now California's secretary of education), San Diego witnessed a real blood-'n'-guts struggle for three schools to reopen as charters after they were among eight identified for NCLB restructuring. The effort drew fierce opposition; the next school-board election produced an anti-charter majority and cost Bersin his job. Ironically, it was the school communities themselves—parents and kids—who fought hardest to get the three charter petitions approved, and in the end the new school board relented.

Sadly, the best current illustration of all-out charter-led restucturing has little to do with NCLB. The New Orleans school system was closed, *in toto* overnight, by Hurricane Katrina. Local and state leaders, prompted by generous federal funding, used the charter law and gubernatorial orders to start reopening schools with dramatically higher standards for teacher hiring, freedom from the famously dysfunctional central office, and a determination to end the ugly local tradition of have/have-not public schools.

It's important to note that in these cases, we're not talking about charter "conversion." In fact, that term doesn't appear in NCLB.

This is more than semantics. In a charter conversion, the reform impetus is internal to the school community. A majority (or supermajority) of teachers and/or parents, fed up with low achievement and system hassles, files a petition for a charter conversion. The charter is granted, and this same group, unshackled, gets to try all sorts of innovations. But when no one inside the building is asking for a change, and when the insiders may in fact be the problem, the option to reopen as a charter is something else altogether: the kids and parents stay, but a new team, with wholly new assumptions, expectations, and powers, takes command.

State laws often bog charter conversions down with excess baggage, such as keeping the school under the district's collective bargaining agreement, or requiring that it have a higher percentage of certified teachers than other charters. If the point of restructuring is a fresh start, a blank slate, a New Deal—well, that ain't it.

Making the Case for Charters

It's a mathematical certainty that in the next year or two, massive numbers of schools will start populating the Year Five column. Now is the time to help district and state leaders understand why a charter-based new-schools policy is a sound response to NCLB sanctions.

Good conceptual groundwork has already been laid by Ted Kolderie, Joe Graba, and their colleagues at Education/Evolving, who argue convincingly that "we can't get the schools we need just by changing the schools we have." And NACSA, the National Association of Charter School Authorizers, has embarked on a Starting Fresh campaign, urging districts and states to opt for close/reopen rather than retread.

But the case must be empirical, too; why else should state and city leaders even think about replacing worn-out district schools with new charter schools? Happily, there is increasingly impressive achievement being reported for charters that have been welcoming hordes of families fleeing dysfunctional, unrestructured urban schools in Washington, D.C., Buffalo, New York City, and elsewhere. It is performance, not just promises, that is causing leaders like New York City's Joel Klein to make charter schools a vanguard for broader system reform.

The Feds

Think tanks and lobbying groups are already buzzing about what they want in the reauthorization of NCLB, nominally due in 2007. But word in the congressional cloakrooms is that the big bill might wait until after the next presidential election. Between now and 2009 we may be stuck with that "any other" language, which means that regulation, guidance, and jawboning are needed to make restructuring happen on a faster track for the kids who need it most.

Education secretary Margaret Spellings and her crew play the pivotal role here. Spellings is showing commendable backbone on choice, warning states that they can lose Title I megabucks if they fail to provide students with escape options from failing schools. She should do the same on restructuring.

Specifically, the Department of Education (DOE) should wallop states that play games while kids remain trapped in lousy schools. DOE should issue firm guidance that states must not evade clear congressional intent by allowing weak-kneed responses to chronic school failure. States needn't mandate the charter route, although it provides the best hope of truly starting fresh. But they do need to galvanize fundamental change.

My own hunch is that whether federally urged or not, whether formally embraced by district and state officials or not, fundamental change is coming to underperforming schools and systems. As long as charter schools aren't kept from opening or expanding because of arbitrary state caps, parents will continue flocking to them. The charter market share in big cities will continue growing. NCLB gives traditional systems a way to jump-start reform by capitalizing on this powerful trend. If they ignore the opportunity but continue to lose customers, they invite a far less orderly kind of restructuring.

Nelson Smith is president of the National Alliance for Public Charter Schools.

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Photo Finish

Certification doesn't guarantee a winner

The July 2006 deadline came and went for states to comply with the No Child Left Behind (NCLB) mandate to have a "highly qualified" teacher in every classroom. To meet the standard, teachers must have a bachelor's degree, be state-certified, and prove they know the subjects they teach, either by satisfying minimum course-taking requirements or passing a test in the subject they teach. But will compliance ensure that students learn more? Does state certification make teachers better at fostering student learning? It is now possible to provide some answers to these questions by exploring the relative effectiveness of recently hired New York City public school teachers who entered the profession through alternate routes. Using a large data set provided by the New York City Department of Education (NYC DOE), we analyzed student test scores as well as information about the students, their teachers, classrooms, and schools. With this rich array of data, we compared the effectiveness of recently hired alternatively certified (AC) and uncertified teachers to that of their traditionally certified counterparts in improving student learning in math and reading during grades 4 through 8.

The results of our study of New York City public school teachers confirm a simple truth: some teachers are considerably better than others at helping students learn. For example, elementary-school students who have a teacher who performs in the top quartile of all elementary-school teachers learn 33 percent of a standard deviation more (substantially more) in math in a year than students who have a teacher who performs in the bottom quartile. Yet as we embrace this piece of conventional wisdom, we must discard another: the widespread sentiment that there are large differences in effectiveness between traditionally certified teachers and uncertified or alternatively certified teachers. The greatest potential for school districts to improve student achievement seems to rest not in regulating minimum qualifications for new teachers but in selectively retaining those teachers who are most effective during their first years of teaching.

New Routes to the Classroom

State laws were originally designed to regulate teacher quality by specifying minimum pre-service course-taking and exam performance. Reflecting these traditions, the majority of prospective public-school teachers have completed one or two years of full-time study in a university education program and passed exams such as the widely used PRAXIS tests to satisfy those requirements.

In the 1990s, that traditional system for regulating the flow into teaching began to break down. Faced with difficulties recruiting enough certified teachers, many school districts hired large numbers of uncertified teachers. When No Child Left Behind and state laws mandated a certified teacher in

ILLUSTRATION / SCOTT PECK

BY THOMAS J. KANE, JONAH E. ROCKOFF, AND DOUGLAS O. STAIGER

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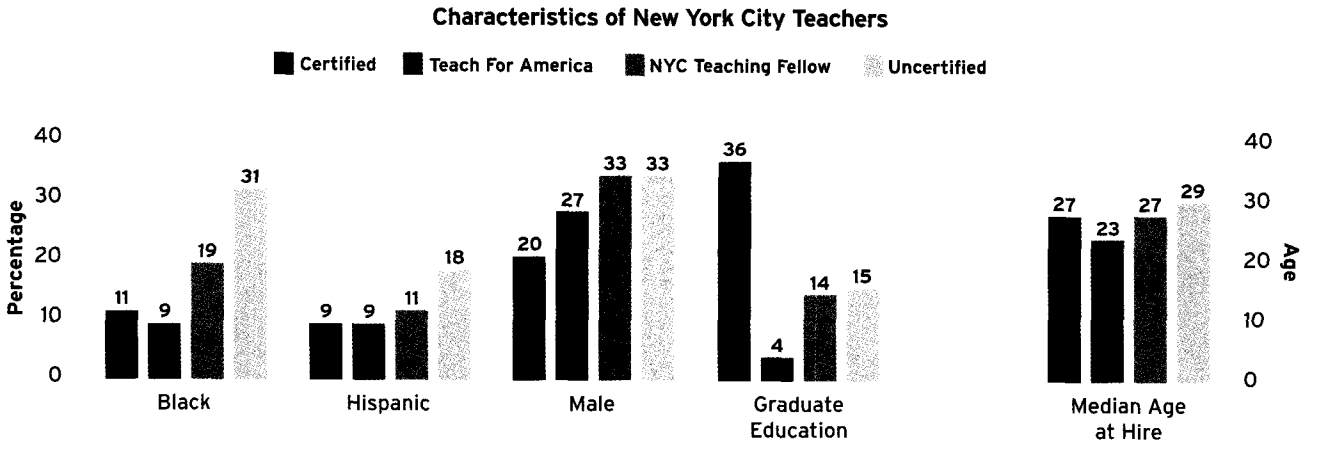
Many Paths to the Classroom (Figure 1a)

New York City certified, alternatively certified, and uncertified teachers differ in many respects.



Note: "Uncertified" teachers include those who are not participants in Teach For America or the International Program (not shown).

SOURCE: Authors' calculations from 1999-2004 New York City Department of Education data

every classroom, districts turned to the growing number of teachers entering the profession through alternative certification (AC) programs. According to the National Center for Education Information (NCEI), 48 states and the District of Columbia currently have AC programs, and approximately 50,000 teachers became certified through alternative routes in 2004–05. NCEI estimates about one-third of all new teachers enter the field with alternative certification. Participants in the AC programs are usually required to possess a bachelor's degree and pass state licensing exams before entering the classroom and to enroll in a teacher-education program, taking coursework at night, during their first years in teaching.

We wanted to know whether staffing classrooms with uncertified and AC teachers shortchanges students. In other words, are students essentially paying the cost of training these teachers on the job, in the form of lost academic achievement?

Knowing the relative merits of traditionally certified, AC, and uncertified teachers is particularly important because AC and uncertified teachers are more likely to work in urban areas with low-income and low-achieving students, those most in need of a high-quality teacher who can foster their learning. This is one reason the New York City public schools are an ideal setting to explore how a new teacher's certification status might affect how much students learn. Besides being the largest and one of the most diverse school districts in the country, New York City is a major employer of uncertified and AC teachers. More than 50,000 new teachers were hired in New York schools between the 1999–2000 and 2004–05 school years. Uncertified and AC teachers accounted for, respectively, 34 percent and 20 percent of these new hires.

Teacher Certification in New York City

Recruiting a sufficient number of certified teachers has been a long-standing challenge for the New York City Department of Education. During the 1999–2000 school year, approximately 60 percent of all new teachers hired were uncertified. Recruiting difficulties have been more severe in schools with the lowest average achievement levels.

Since that time, the NYC DOE has taken a number of steps to decrease its use of uncertified personnel, one of which has been to expand its recruitment of alternatively certified teachers. Between the 1999–2000 and 2004–05 school years, uncertified hires fell from 60 percent to 7 percent of all hires, while the fraction who were alternatively certified rose from 2 percent to 36 percent. It is highly unlikely that this shift was a matter of previously uncertified teachers entering AC programs. The two populations—uncertified and AC teachers—differ in a number of ways: AC teachers are less likely to be black or Hispanic, tend to be several years younger when hired, and attended colleges with substantially higher median SAT scores (see Figure 1).

The major source of new AC teachers has been the New York City Teaching Fellows (NYCTF) program. Created in the summer of 2000, NYCTF is a partnership between the New

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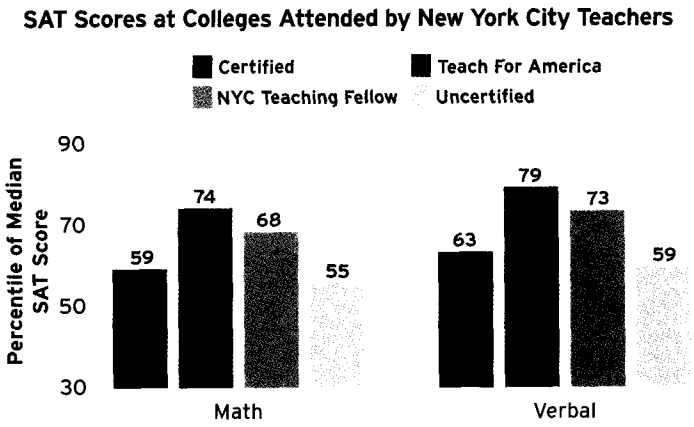
(Figure 1b)



York City Department of Education and The New Teacher Project (TNTP). TNTP is a national nonprofit organization, founded in 1997, that helps school districts recruit AC teachers. TNTP has also worked with school districts in Miami, New Orleans, Oakland, Philadelphia, Washington, D.C., and a number of other urban and rural communities.

The NYCTF program was created as a response to pressure from the state government to hire only certified teachers in the city's lowest-performing schools. After the NYC DOE failed to hire only certified teachers for these schools in 1999–2000, it was sued by state education commissioner Richard Mills. In 2000, additional motivation to produce and hire AC teachers was provided by a New York State law that required all teachers in the state to be certified in their subject of instruction by the 2003–04 school year. The number of teaching fellows hired grew from 350 in 2000–01 (less than 5 percent of new hires) to 2,500 in 2003–04 (more than 30 percent of new hires) and 2,000 in 2004–05 (more than 25 percent of new hires). Teaching fellows represent the vast majority of all AC teachers signed on in New York City since 1999. Between the 1999–2000 and 2004–05 school years, some 9,000 teaching fellows were hired.

New York recruits AC teachers through several other sources as well: the high-profile, nationwide Teach For America (TFA) program, the Peace Corps Fellows Program, and the Teaching Opportunity Program Scholars. (The latter two programs are relatively small.) New York City hired 1,544 new TFA teachers during the 1999–2000 to 2004–05 school years. Here, we limit our discussion to the findings on teaching fellows and the substantial number of teachers who come from the TFA program.

Measuring Teacher Effectiveness

It is a complicated task to determine how much difference a teacher makes in student achievement and whether or not that difference depends on how she entered the teaching profession. We need to compare the effectiveness of teachers in each certification group while separating out each of their students' baseline level of achievement (measured with test scores from the prior school year) and other characteristics of the student, classroom, school, and teacher that could affect student achievement.

We used data from the New York City Department of Education, which cover the 1998–99 to 2004–05 school years and grades 3 through 8, the grades in which students in New York City take standardized math and reading examinations. Because we need a prior year test score for each student in each grade in order to estimate the contribution made by the student's teacher, we can only study 4th- through 8th-grade teachers.

The student data include test scores, race and ethnicity, eligibility for the federal free and reduced-price lunch program, and status as an ESL or special-education student. We know about a student's prior attendance record and any suspensions from school. It is important to account for these student characteristics when evaluating an uncertified or AC teacher's contribution to student learning compared to that of a certified teacher. Uncertified teachers, teaching fellows, and TFA corps members all tend to teach in schools that, relative to those employing more certified teachers, have a higher percentage of minority students; more low-income, ESL, and special-education students; and students with lower achievement levels. We can place each student in a classroom and school so we know about the demographic and educational characteristics of students' schoolmates as well as the size of their class.

The NYC DOE data also include identification numbers for students' math and reading teachers, which were often the same for elementary-school students. This is a crucial piece of information, enabling us to match a student to his or her teacher. The NYC DOE payroll system was the source of information about each teacher's certification program and years of teaching experience. We are interested in evaluating teachers based on their certification at the time they are hired. Thus, uncertified teachers who later gain regular or alternative certification are still, in our study, considered uncertified. The study sample includes some 10,000 teachers in total, drawn from four groups: regular certified, regular uncertified, teaching fellows, and Teach For America.

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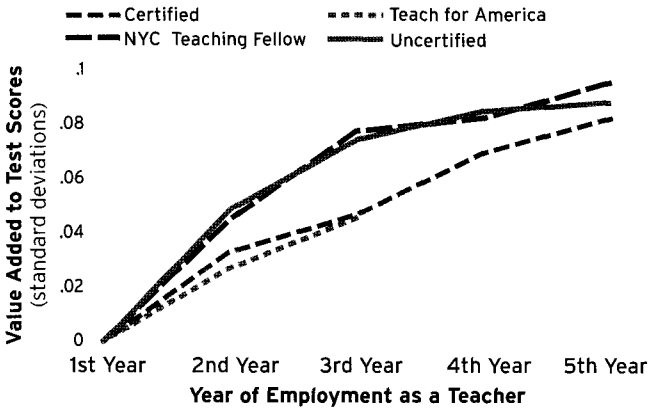
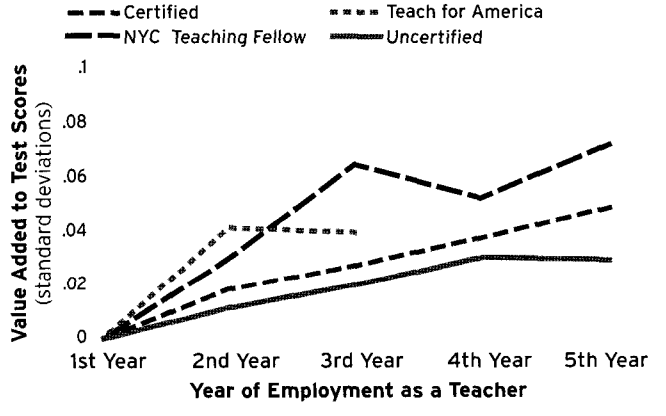
Experience Matters (Figure 2)

Whereas certification status has little impact on student test scores, the impact of teaching experience is substantial, regardless of whether the teacher is traditionally certified.

Impact of Teacher Experience on Student Math Test Scores



Impact of Teacher Experience on Student Reading Test Scores



Note: "Uncertified" teachers include those who are not participants in Teach For America or the International Program (not shown).

SOURCE: Authors' calculations from 1999-2004 New York City Department of Education data

Certification and Effectiveness

Simply put, a teacher's certification status matters little for student learning. We find no difference between teaching fellows and traditionally certified teachers or between uncertified and traditionally certified teachers in their impact on math achievement. Classrooms of students assigned to TFA teachers actually scored 2 percent of a standard deviation higher than students assigned to traditionally certified teachers. In reading, students assigned to teaching fellows did underperform students assigned to traditionally certified teachers by 1 percent of a standard deviation. These are the only instances in which we find that a teacher's initial certification status has statistically significant implications for student achievement. The picture of teacher effectiveness looked the same when we separately examined teachers in elementary schools, middle schools, and schools with above- and below-median test scores.

A Close Look at Teacher Experience

We also measured how teaching effectiveness improves with experience in New York City public schools. New York's teachers are no different from other teachers around the country. Teachers make long strides in their first three years, with very little experience-related improvement after that. The students of third-year teachers score 6 percent and 3 percent of a standard deviation higher in math and reading, respectively, than students of first-year teachers.

Since the first few years of experience are so important, we decided to take a closer look at how uncertified and AC teachers fare against traditionally certified teachers at different levels of teaching experience. We compared the effectiveness of teachers from among the certification groups in their first, second, and third years of teaching.

We found that teaching fellows, TFA corps members, and uncertified teachers may fare slightly worse as rookie teachers than certified teachers, but they quickly make up the lost ground (see Figure 2). For example, first-year teaching fellows underperform traditionally certified teachers in their first year by 1 percent of a standard deviation in math, but third-year teaching fellows outperform third-year traditionally certified teachers by 2 percent of a standard deviation. In reading, rookie teaching fellows underperform first-year teachers with traditional certification by 2 percent of a standard deviation. Yet by their third year of teaching, teaching fellows are eliciting student achievement as well as third-year traditionally certified teachers.

How do AC and uncertified teachers manage to catch up to traditionally certified teachers? This improvement need not reflect on-the-job learning. It could be that the propensity for ineffective teachers to leave could be higher among those uncertified and alternatively certified. This would improve the average performance of these groups relative to traditionally certified teachers, even though individual teachers did not improve at higher rates.

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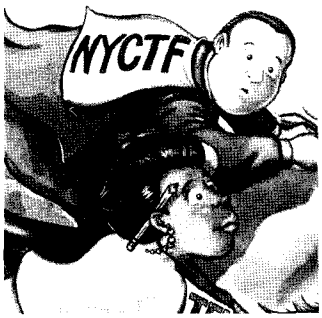
We can estimate the rate of improvement that is attributable to experience (as opposed to the departure of weak teachers) by following individual teachers and measuring the change in their performance from one year to the next. We can then see if these changes, say from year one to year three, tend to be greater or smaller for teachers from different certification groups.

There is some evidence that AC and uncertified teachers learn more from experience. Whether they teach math or reading, TFA teachers seem to learn at the same pace as traditionally certified teachers. The first two years of teaching bring substantially more improvement in both math and reading instruction for teaching fellows than for traditionally certified teachers. Given the same initial effectiveness as a traditionally certified teacher, our results indicate that, after two years on the job, a teaching fellow's students would score 3 percent of a standard deviation higher on average in math and reading. Uncertified math teachers' gains from experience also outpace those of traditionally certified teachers. Given the same initial effectiveness as a traditionally certified teacher, an uncertified third-year teacher's students would score 3 percent of a standard deviation higher, on average, in math.



Simply put, a teacher's certification status matters little for student learning. We find no difference between teaching fellows and traditionally certified teachers or between uncertified and traditionally certified teachers in their impact on math achievement.

Attrition

In debates over certification standards, alternative certification programs have been criticized for high turnover. Alternatively certified teachers may be just as good as traditionally certified teachers, the critics say, but they are more likely to leave teaching just when they are learning the ropes. Teach For America programs have been the focus of much of this criticism, since they ask their corps members for only a two-year commitment.

The critics may have a point. When faced with the choice of two teachers of equal initial effectiveness but differing expected turnover rates, a principal or district recruiter ought to choose the teacher with lower expected turnover. However, the strength of this preference depends on two things: the actual difference in turnover rates and the difference in effectiveness between an experienced and a novice teacher. Fortunately, both of these differences can be estimated with the NYC DOE data.

First, we set out to determine the average rate of attrition, by year of teaching experience, among teachers hired since the 1999–2000 school year. We used a statistical procedure that allows us to adjust for factors that might affect attrition, such as teacher age and the characteristics of the school in which they taught. We also adjusted for the state-mandated departure of teachers who remained uncertified at the end of the 2002–03 school year, which artificially raised the attrition of uncertified teachers in that year. (Starting in the fall of 2003, school districts in New York State were no longer permitted to employ uncertified teachers, although in schools with severe teacher shortages some continued to teach with two-year Modified Temporary Licenses.)

Perhaps surprisingly, after adjusting for these factors, teaching fellows have attrition rates similar to those of traditionally certified teachers. In fact, teaching fellows have slightly lower attrition rates in the first two years than traditionally certified teachers. After five years, approximately 50 percent of both groups still teach in the New York City public schools. Teachers who were initially uncertified are a little less likely to stick around than teaching fellows or traditionally certified teachers. Given the estimated rates of attrition, 45 percent would remain with the district in their fifth year.

Teach For America corps members do have much higher exit rates. By the fifth year, only about 18 percent of corps members would remain with the district. Much of the attrition for TFA corps members comes after two years of teaching. Presumably, this reflects the fact that TFA corps members sign up for a two-year teaching commitment.

We used these attrition rates to estimate the proportion of each group of teachers who would be in their first, second, and third year of teaching and so on, up to 30 years. Roughly 45 percent of TFA teachers would be in their first or second year of teaching during any given school year. In stark contrast, traditionally certified teaching and teaching

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fellows would be less than half as likely to be so green, with only 20 percent in their first or second year.

Despite the higher attrition among TFA corps members, the implications are not nearly as dire as some critics of the program suggest. The impact on student outcomes is negative but rather modest. When we compare teacher effectiveness in our simulated teacher pool, we estimated that TFA teachers would need to produce about 2 percent of a standard deviation in additional math and reading achievement in their students to offset the impact of the higher turnover rates. At least in math, the size of the Teach For America advantage during the first years of teaching is just large enough to offset the cost of higher turnover. (Although TFA corps members' effect on students' reading scores is not as great, the payoff to experience is also considerably lower in reading achievement.) In other words, both the critics of Teach For America, who point to high attrition rates, and the supporters of Teach For America, who maintain that the corps members are more effective than other novice teachers, are right. But on net, it is a wash.

Teachers Matter Even If Certification Does Not

The above discussion should not be taken to imply that teachers do not matter. Although it may not matter much whether a child is assigned to a certified or uncertified teacher, it certainly does matter to which teacher a student is assigned. Interestingly, the range of effectiveness within each certification group is wide and the distribution of effectiveness is roughly the same.

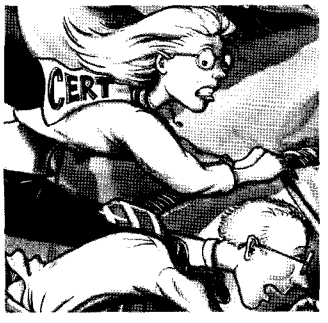
There are a number of potential sources of error in measurements of teacher effectiveness based on student achievement data. For instance, because many classrooms have 20 to 25 students, a few particularly talented or particularly disruptive students can radically change the classroom average. Moreover, there may be other factors, unrelated to class size, that lead to swings in classroom performance, such as a dog barking in the parking lot on the day of the test or special classroom "chemistry" reflecting a good match between a particular classroom of students and a particular teacher. We wanted to measure the part of a teacher's effectiveness that persists over time. We used a statistical method that separated our estimate of overall effectiveness into a fixed component, which is stable from year to year, and an idiosyncratic component that changes across classrooms and across years.

When we looked at the persistent component of teacher effectiveness, we found that the best teachers have a large positive impact on their students' academic performance relative to that of a less effective teacher. For example, the top quarter of elementary-school teachers improve student achievement in math by 33 percent of a standard deviation more than the bottom quarter of teachers do. Among middle-school teachers, the difference is slightly less but still important, at 20 percent of a standard deviation. To put this in perspective, the advantage of being the student of a teacher in the top quarter of effectiveness rather than the bottom quarter is roughly three times the advantage of being taught by an experienced teacher rather than by a novice, and more than ten times any advantage created by teacher certification!

Knowing When to Be Choosy

Traditionally, states and districts have regulated teacher quality by focusing on initial qualifications. In writing the No Child Left Behind Act, Congress followed that same logic, requiring states to live up to the minimum hiring standards they have established. But is a highly qualified teacher more likely to be a highly effective teacher? Our results suggest not. States and districts could learn a lot about teacher impacts on student achievement during the first few years on the job, as long as they assemble their student and teacher data to compare end-of-year performance among classrooms of students with similar baseline characteristics. That is an obvious first step. But states and districts also need to find ways to directly observe and rate in-class performance, using some combination of principals, peers, and external observers.

We believe states need to develop the infrastructure for assessing the performance of novice teachers during their first



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Another Look

Further confirmation that neither traditional certification nor alternative routes to teaching guarantee teacher quality

One can have special confidence in a finding when independent research teams, working separately and using state-of-the-art methodologies, reach similar results. *Education Next* received a second study that closely resembles the analysis by Thomas Kane and his colleagues from a team of five scholars shortly after we put the Kane study into the peer review process. Not knowing the outcome of the Kane peer review, we did the same for the second study. Both were found to be of high quality.

The second study's authors, Donald Boyd, Pamela Grossman, Hamilton Lankford, Susanna Loeb, and James Wyckoff, also find few significant differences in effectiveness between traditionally certified New York City teachers and teachers entering through alternative pathways, such as Teach For America or the New York City Teaching Fellows program. More important, they find that the differences in teacher effectiveness within pathways far exceed the average differences between pathways. The similar methodology and findings in the two studies provide a rare example of replication in the social sciences.

Following the principle that the first paper to arrive receives precedence, we include here only the Kane study, but we encourage the interested reader to access the second study, which was published in *Education Finance and Policy*, at http://www.mitpressjournals.org/toc/edfp/1/2.

few years on the job. There are some models being developed, such as Connecticut's Beginning Educator Support and Training (BEST) program, Charlotte Danielson's performance evaluation rubrics, and the National Board for Professional Teaching Standards. These approaches are only beginning to be validated against student performance on standardized tests. That is a process that will take time, and it is probably too early to say that there is one best approach to assessing teacher effectiveness.

Admittedly, not all private employers terminate their less effective employees. Employees who do not perform up to expectations may remain in entry-level positions, left in the proverbial "mailroom." Schools are very different organizations from most private firms. Notably, there is no equivalent to the corporate mailroom. Less effective teachers, when they earn tenure, are assigned classrooms of students just like more effective teachers.

Nevertheless, there are some labor markets that operate in the way we propose. The market for faculty at top universities is one such example. Arguably, colleges and universities have a lot more information at the time they hire faculty than school districts do. They have a copy of several papers someone has written; they have spoken with a candidate's advisors, whom they often know personally; they invite the candidate to campus for a full day of interviews. Yet despite this intensive screening, the top departments remain at the top by selectively retaining only the most prolific researchers from among their junior faculty.

Ironically, current collective-bargaining agreements already give district leaders the flexibility to terminate ineffective teachers during their first two or three years on the job. For instance, in New York City, teachers' contracts may not be renewed if they receive an unsatisfactory rating from their principal during their first three years of teaching. Our estimates suggest that just one year yields a substantial amount of information on teachers' effectiveness. Three years would give a school district a lot of information.

Nevertheless, there are several potential impediments to districts' implementing this kind of policy. Individuals who believe they may be dismissed will be less attracted to teaching in a district with selective retention. Districts may have to make other changes, such as increasing salaries for teachers clearing the tenure hurdle, in order to recruit enough teachers to fill available positions. The "highly qualified teacher" requirements in the No Child Left Behind Act already make it hard for districts to hire sufficient numbers of novice teachers. Our proposal would require districts to hire even more. Those provisions will have to be rethought during the law's upcoming reauthorization.

By shifting the focus away from "qualifications," we are not proposing to open the floodgates into teaching. Nor are we intending to imply that teaching is based on innate talent rather than developed skill. Instead, we simply want to move the dam further downstream from the time of initial recruitment, and postpone assessments of teacher's effectiveness for a year or two until districts have much more useful information about which teachers are performing well and which are performing poorly. Only then will we have hope of living up to the aspirations embodied in the No Child Left Behind Act.

Thomas J. Kane is professor of education and economics at the Harvard Graduate School of Education. Jonah E. Rockoff is assistant professor of economics and finance at Columbia Business School. Douglas O. Staiger is professor of economics at Dartmouth College.

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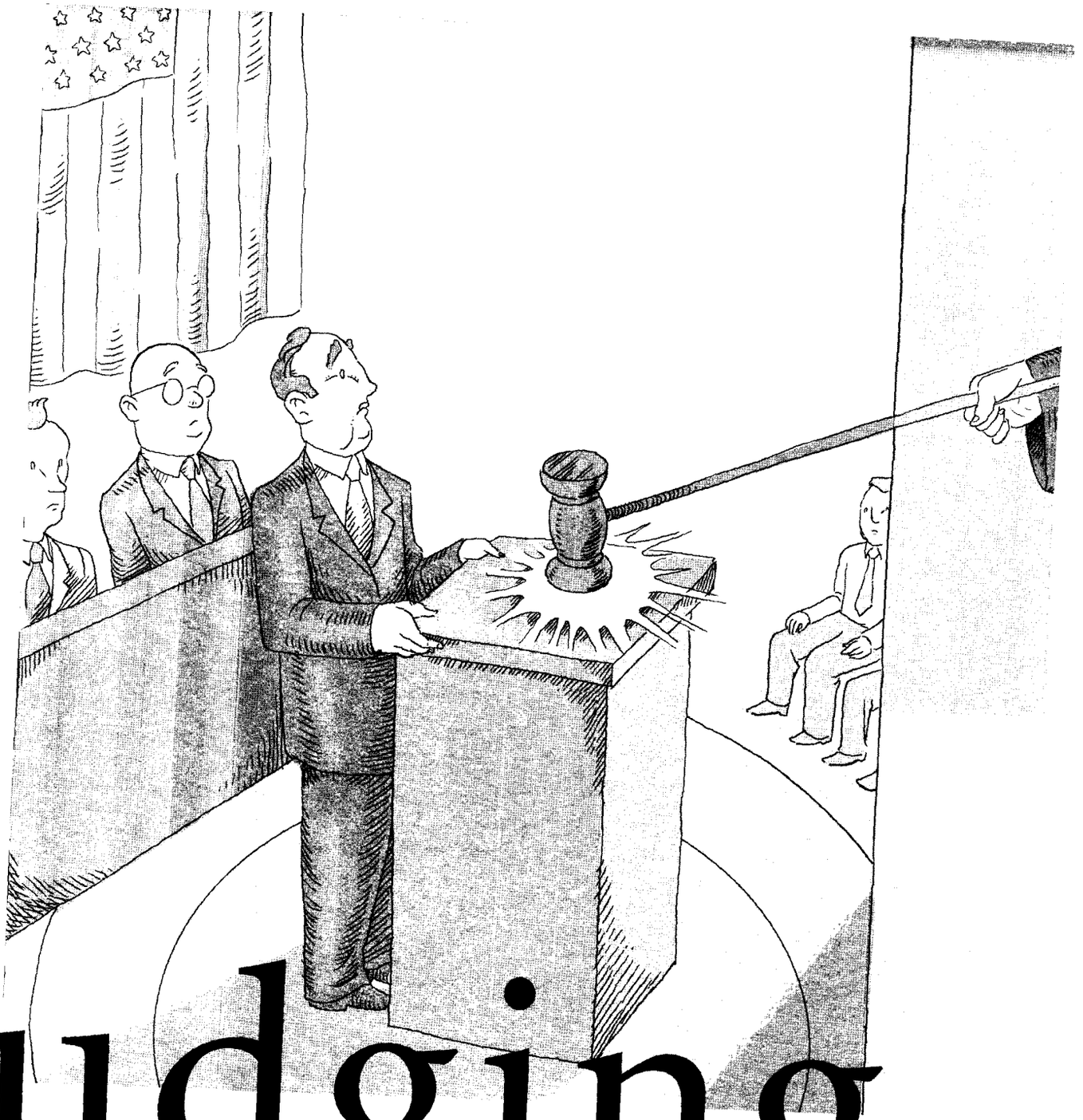

Judging Money

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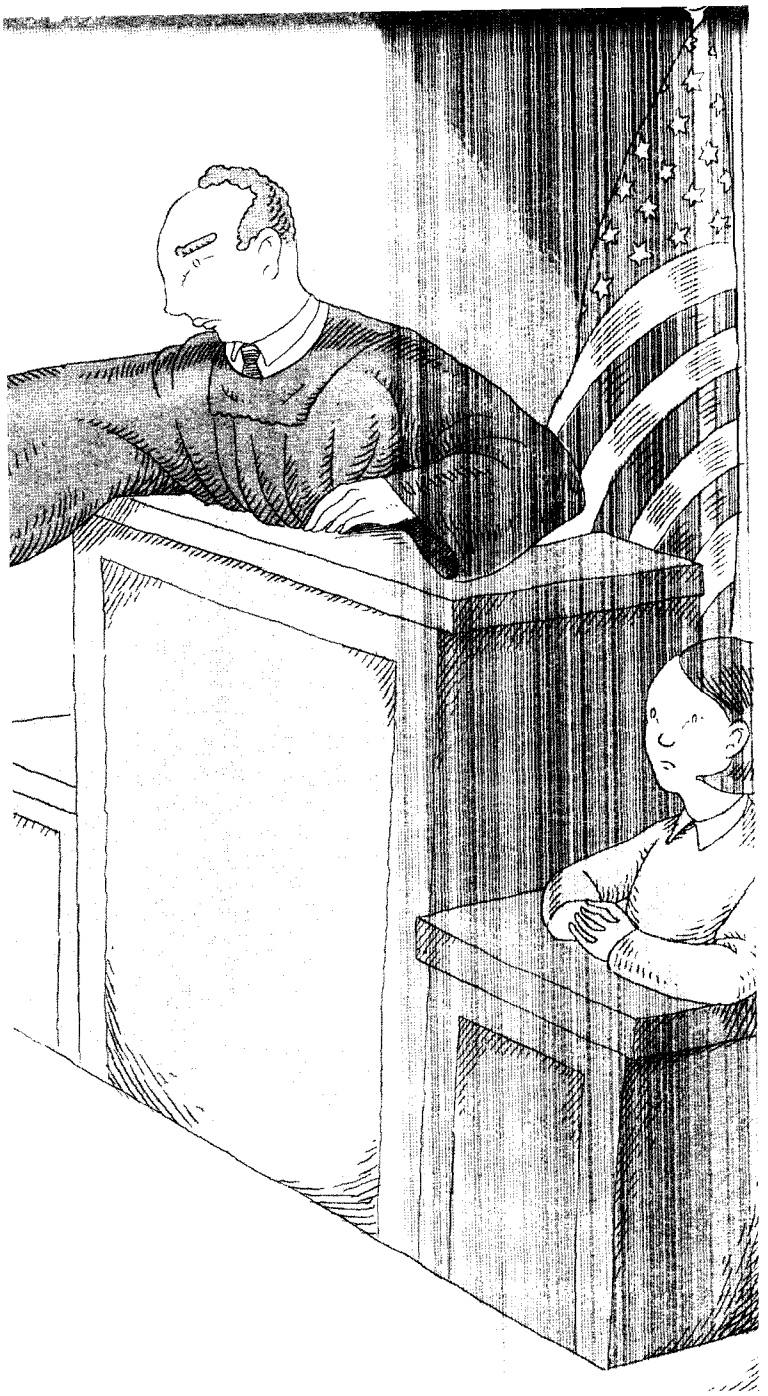

When courts decide how to spend taxpayer dollars

Since the 1970s, proponents of greater spending in disadvantaged school districts have pursued their goal through litigation in state courts. They have brought suits in 45 of the 50 states. These suits began with claims of equity, which sought to redistribute revenues from rich to poor districts. Disappointed with the results, within a decade the plaintiffs substituted "adequacy" for "equity"—and have had more success (see Figure 1).

Often the victories for adequacy are only the beginning of prolonged and inconclusive struggles within the ruling courts and between the courts and legislatures or governors. But sometimes the outcomes are radical. In a path-breaking suit in Kentucky, the state supreme court in 1989 found virtually everything about that state's schools to be unconstitutional, and the legislature responded with major reforms. More recently, in March 2006, an appellate court in New York State ordered its elected officials to increase operating aid for New York City schools by between $4.7 and $5.63 billion a year and by $9.2 billion over five years for capital improvements. Adequacy lawsuits have proved a serious threat to the right of citizens to have their taxes determined by elected officials who are in a position to weigh competing claims for public support and to judge the relative efficacy of spending for particular purposes.

ILLUSTRATION / WESLEY BEDROSIAN

BY JOSH DUNN AND MARTHA DERTHICK

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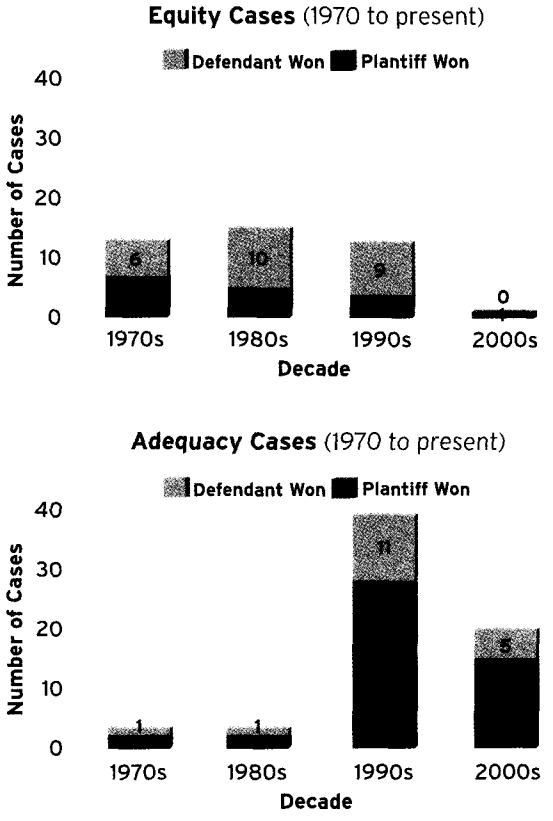
Adequacy En Vogue (Figure 1)

After a steady flow of equity cases during the 1970s and 80s, school finance litigation saw a huge shift to the adequacy lawsuit. Sixty-five decisions have been issued in adequacy cases through 2005, with plaintiffs winning 47 of them.



Note: Adequacy cases often include equity arguments as well.

SOURCE: Martin R. West and Paul E. Peterson, eds., *School Money Trials : The Legal Pursuit of Educational Adequacy* (Brookings Institution Press, forthcoming)

Adequacy as a Political Campaign

At first glance it appears ironic that plaintiffs have enjoyed a higher rate of success in adequacy cases than in those grounded in equity. Courts would seem to have greater legitimacy and competence in adjudicating the latter. The irony disappears, however, if school finance lawsuits are viewed as political rather than legal events. As political events, equity cases compelled the redistribution of spending for education, inciting a strong reaction from those property-rich school districts with the most to lose. Adequacy cases have the clear political advantage: they aim to enlarge the educational pie. Districts rich or poor and urban or rural, teachers and administrators, equipment suppliers, consultants, building contractors, pension funds—along with the advocacy organizations that everywhere push for more school spending—can detect such opportunities for gain and join forces, at least up to the point at which remedies are specified and the bigger pie begins to be sliced.

Adequacy lawsuits are political events: they allocate things of value, and they propel the courts into an institutional sphere normally reserved for the legislature and the governor. Head litigators in adequacy lawsuits know that judicial decisions depend on implementation by the political branches and are alert to ways in which this might be achieved. At a 2005 conference of the adequacy movement, winning lawyers from North Carolina, Montana, and Kansas constituted a panel devoted to the subject of converting court victories into solid remedies. Beyond speaking of standard litigating tactics, such as picking plaintiffs, witnesses, and exhibits, they spoke of success at spinning the media, hiring public relations firms, and engaging a lobbying firm to work with the legislature (in Kansas), all standard political tactics. One lawyer hinted at success in having a school board attorney "from one of our [plaintiff] districts" appointed to the state supreme court (again, Kansas). They spoke of the utility of lawsuits for agenda setting—of keeping school spending inescapably before the legislature.

Implementation of national statutes is always problematic in a federal system and with a national legislature that habitually underfunds its promises. The adequacy campaign, a national movement committed to litigating in state courts, conceives of itself as stepping into this breach. The standards-and-accountability movement—which spread nationwide through the 1990s and reached a climax with passage of the No Child Left Behind Act (NCLB) in 2002—has provided a political stepstool to adequacy suits. The keynote speaker at the adequacy movement conference was Representative George Miller, a California Democrat and one of the principal authors of NCLB. He told the conference, "You have to continue to litigate. Only through litigation will we capture attention.... You can help us realize the goals and live up to the promise of No Child Left Behind." Michael Rebell, leader of the adequacy movement in New York City and more broadly, has chastised critics for failing "to grasp that the education adequacy lawsuits have become the driving force for achieving the aims of the standards-based-reform movement."

The Expanding Reach of the Courts

Because the challenge to separation of powers from adequacy lawsuits is so plain, one might expect them to have given rise to constitutional debates within the states. Angered legislators have sometimes proposed constitutional amendments in defense of their prerogatives. Conservative Republican members of the Kansas legislature in 2005 tried to couple school spending that had been compelled by courts with a proposed amendment that would have prohibited courts from ordering

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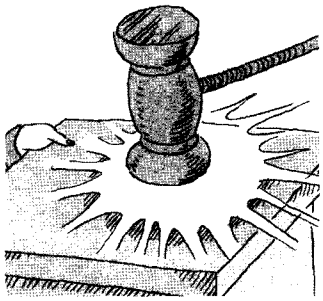
the legislature to make appropriations. The proposal failed to get the two-thirds majority in the Kansas house that was needed for submission to the electorate. More school spending had support from Democrats and a few Republicans in the legislature despite the challenge to the institution.

Legislatures per se are not normally defendants in the lawsuits, and so cannot mount their own defense in court. State officials who are in charge of the defense do not necessarily have strong incentives to conduct it vigorously. No attorney general has yet won a large following by opposing more spending on schools or supporting the constitutional principle of separation of powers. State superintendents of instruction, who often have a great deal of influence in shaping the defense, have even less incentive to oppose increased spending on schools.



Most courts have elected to advance into the legislative terrain, all the while denying that they are doing any such thing.

Given the absence of widespread constraints on the courts from legislators pushing back, it has been up to the courts to work their way through the issue of whether or not these cases are appropriate for court determination ("justiciability"). Most courts have elected to advance into the legislative terrain, all the while denying that they are doing any such thing.

Justiciability has forced adequacy advocates to overcome two arguments. One is that judicial action violates the principle of separation of powers because school spending is a political question. The other is that the language of state constitutions is unclear and, therefore, provides no justification for regulating the elected branches' policies. For political reasons rather than constitutional ones, the political question doctrine is likely to remain a troubling issue while constitutional language will not.

The Political Question Doctrine

Based on evidence from state courts, where its application is wildly uneven in remarkably similar cases, the political question doctrine does not have much force of its own. Courts deploy it or ignore it as they wish and use it only if they are predisposed not to enter into a controversy.

Justice William F. Brennan gave the standard formulation of the political question doctrine in *Baker v. Carr*, describing it as "a function of separation of powers." His detailed definition could justify dismissing education reform litigation for many reasons, among them "a lack of judicially discoverable and manageable standards for resolving it ... or the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion." For advocates of judicially imposed reform, "judicially manageable standards" has been a long-standing obstacle, as it requires that there actually be a solution. If courts do not think that they have a manageable solution, institutional self-interest can restrain them. In *San Antonio Independent School District v. Rodriguez*, a Supreme Court case on equity of school finance, Justice Lewis F. Powell in 1973 cited the lack of judicially manageable standards as a reason for leaving the issue to elected bodies.

The lack of manageable standards has been a continuing source of frustration for education reform litigants. The standard of equal spending ultimately proved unattractive to plaintiffs since it provided powerful incentives to simply reduce spending for everyone. Justiciability here faced both legal and political obstacles: equal spending failed to promise more money for the poverty populations of central cities, where per-pupil expenditures were often relatively high (see "Educational Jujitsu," *features*, Fall 2002). Arguments for anything more than equal spending seemed devoid of precise content or guidance. The solution to the dilemma came courtesy of the standards movement. According to Rebell, the standards movement "provided the courts with practical tools for developing judicially manageable approaches for implementing effective remedies." All that remained was marrying standards to the idea of adequacy. Adequacy tied to standards solves the legal and political problems of justiciability.

Defining Adequacy

In *Rose v. Council for Better Education* the Kentucky Supreme Court established an "operative definition of adequacy," which other state courts have since "adopted," according to Rebell. The court concluded that an adequate education requires among other things "sufficient oral and written

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communication skills" for functioning "in a complex and rapidly changing civilization," "sufficient knowledge of economic, social and political systems to enable the student to make informed choices," and a "sufficient grounding in the arts to enable each student to appreciate his or her cultural and historical heritage." Since the Kentucky court did not mandate a specific set of reforms, this broad definition is more political rhetoric than a reasonable judicially manageable standard. Leaving aside the inherent ambiguity of terms such as "sufficient," "informed," and "grounding," the court's definition in fact assumes that in a complex and rapidly changing society the skills needed, and therefore constitutionally required, will change as well.

On close inspection it becomes clear that there is no evidence of inadequacy without evidence of inequity. Two prominent and recent adequacy cases—from New York (*Campaign for Fiscal Equity v. New York*) and Kansas (*Montoy v. State*)—show that when courts attempt to overcome the problem of justiciability either they will founder trying to establish what an adequate education actually is or they will retreat to the legally safe but politically dangerous standard of equity.

In *CFE v. New York*, Judge Leland DeGrasse ruled that an adequate education included the "foundational skills that students need to become productive citizens capable of civic engagement and sustaining competitive employment," the "intellectual tools to evaluate complex issues, such as campaign finance reform, tax policy, and global warming," the ability to "determine questions of fact concerning DNA evidence, statistical analyses, and convoluted financial fraud." These requirements are frustratingly vague, a fact DeGrasse inadvertently demonstrated when arguing that New York City's public schools were inadequate.

When marshaling evidence for inadequacy, DeGrasse looked at what he called the "inputs" and "outputs" of the system. The inputs were "the resources available in public schools" and the outputs were the "measure of student achievement." Evidence for the inadequacy of the inputs was based solely on equity. For example, New York City teachers were found on a variety of levels to be inferior to their statewide counterparts. DeGrasse was also unable to present any independent standards of inadequacy when discussing outputs. New York City public schools have lower graduation rates and test scores than other New York schools. This is at best a demonstration of inequity.

Socioeconomic factors initially seem to offer a way out of this dilemma. DeGrasse offers a very grim picture of the socioeconomic condition of New York City public school students. They suffer from poverty, homelessness, poor health, teen pregnancy, and frequent change of residence. Such obstacles raise the question of whether the lower "outputs" of the school system are the result of inadequate "inputs." DeGrasse seems to make the case that the quality of the New York City schools is not to blame. The state's highest court, the Court of Appeals, apparently recognized this even as it approved DeGrasse's ruling, stating, "Decisions about spending priorities are indeed the Legislature's province, but we have a duty to determine whether the State is providing students with the opportunity for a sound basic education. While it may be that a dollar spent on improving 'dysfunctional homes' would go further than one spent on a decent education, we have no constitutional mandate to weigh these alternatives."

In *Montoy v. State*, the Kansas Supreme Court blurred the line between equity and adequacy even more. The Kansas legislature allowed a variety of different taxes based on local circumstances such as high cost of living, low enrollment, and extraordinarily declining enrollment. But the state supreme court struck all of these down because of their "disequalizing effects." Normally such accommodations would be allowed under rational basis scrutiny, but the court objected because they could possibly lead to unequal amounts of spending. The supreme court did state that "once the legislature has provided suitable funding for the state school system, there may be nothing in the constitution that prevents the legislature from allowing school districts to raise additional funds for enhancements to the constitutionally adequate education already provided." However, the court gave no indication at what point "suitable funding" would be reached such that some school districts could spend more than others. For the time being, the court is demanding more spending alone to equalize expenditures across school districts.

The adequacy advocates driving the litigation have searched along with the courts for conceptual foundations. Rebell says that a "core constitutional concept" has emerged from recent adequacy lawsuits. This concept, he says, "emphasizes that an adequate education must (1) prepare students to be citizens and economic participants in a democratic society; (2) relate to contemporary, not archaic educational needs; (3) be pegged to a 'more than minimal' level; and (4) focus on opportunity rather than outcome."

These components are hopelessly unclear. For instance, to explain the meaning of "to be citizens and economic participants in a democratic society" he says that "there is widespread agreement that an adequate system of education is one that 'ensures that a child is equipped to participate in political affairs and compete with his or her peers in the labor market.'" As evidence of this agreement, he quotes the Vermont Supreme Court's opinion in its largely equity-, rather than adequacy-based decision, which held that the state constitution guarantees "preparation 'to live in today's global marketplace.'" The idea that education should "relate to contemporary, not archaic educational needs" means that as "the level of skills necessary to participate as a citizen and as a wage-earner in society rise, expectations for an adequate education will also necessarily rise." Defining a generality with more generalities does not make a

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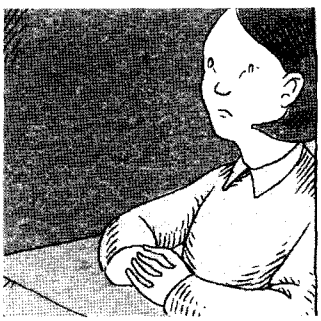
generality more precise. Thus, adequacy advocates turn to money. The courts ensure "the availability of essential resources." As *CFE v. New York* shows, the easiest way to gauge "essential resources" is by comparison with other school districts.

Constitutional Language

The state constitutions' education clauses also raise questions about the appropriateness of judicial intervention based on separation of powers. However, the language is unlikely to undermine the movement as the political question doctrine potentially could. The notion that the constitution requires an "adequate" education is politically popular. But that does not mean that the interpretation is proper.

quality public educational institutions and services." But twice the court held that "[i]t would be a transparent conceit to suggest that whatever standards of quality courts might develop would actually be derived from the constitution in any meaningful sense."

Since education clauses provide little textual substance, it is unsurprising that their analysis by courts is occasionally nothing more than a bald assertion obscured by fallacious reasoning. In *Abbeville v. State* from South Carolina, the state supreme court simply asserted that the education clause, in spite of its lack of qualitative language, must have a qualitative component. In *CFE v. New York*, another state with a spare education clause, Judge De Grasse without apology explained that in education litigation courts "are called on to



Defining a generality with more generalities does not make a generality more precise.

State education clauses are characterized by generality and often by their delegation of authority to the legislature. Some clauses simply require free public schools. Others imply a standard of quality such as "thorough and efficient" or of "high quality." The strongest give education a special status, calling it "fundamental" or "primary." While scholars and activists have made much of these differences, constitutional language has had little apparent influence on state courts. Adequacy suits have failed in states with stronger language such as Maine and Illinois, but won in states with weaker language such as North Carolina and New York. The reason is the distinctions between weak and strong education clauses have been too finely drawn. It is not unfair to call all of them, as Clayton Gillette has, "inherently nebulous." What for instance does it mean to say that education is a "primary" obligation of a state? How does one know when the state has not made it a "primary" obligation?

The obvious question is whether it is appropriate for the judiciary to find the standards that it imposes on legislatures in these generalities. In states that have rejected adequacy suits, the courts' analyses have hinged on the inherent arbitrariness of finding a specific standard and the unconstitutionality of applying a static interpretation on clauses whose meaning must evolve. The Illinois Constitution, with one of the most demanding education clauses, says that the state must "provide for an efficient system of high

give content to Education Clauses that are composed of terse generalities," which in New York's case is "The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated." From that clause, De Grasse determined that the New York City schools were unconstitutional in everything from library expenditures to arts courses. The judge had become completely unmoored from the text and was sailing in purely policy waters.

Policymaking in the Courts

Despite the assurances of adequacy advocates that courts now have the tools necessary for implementing effective reforms, there are reasons for skepticism. For one, there is a well-developed body of literature documenting the institutional difficulties that courts have in creating social change, beginning with Donald Horowitz's pioneering book of 1977, *The Courts and Social Policy*. This literature grew up around the study of federal courts, and to the extent that state courts are beginning to behave like federal courts, much of it applies. Horowitz said that litigation is a poor vehicle for making policy because among other things the adversarial format produces unreliable information and artificially isolates issues that are connected in the real world. Examples of these problems can be found in adequacy litigation.

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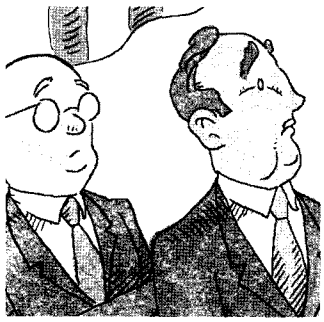

Litigation is a poor vehicle for making policy because among other things the adversarial format produces unreliable information and artificially isolates issues that are connected in the real world.

An example of judicial action with inadequate information is to be found in Kansas, where a willfully blinkered court chose to rely on one consultant's study, by the firm of Augenblick & Myers (A&M), in ordering how much the legislature should appropriate. In *Montoy v. State*, the Kansas Supreme Court said it would be guided by the A&M study because 1) it was "competent evidence presented at trial"; 2) the legislature "maintained the overall authority to shape the contours of the study"; 3) it was "the only analysis resembling a cost study" before the court; and 4) the state board of education and department of education had concurred with the results. The implication of this reasoning—other than that legislatures must follow the recommendations of studies that they commission—is that the court was unwilling to seek as much information as possible. The court assumed the reliability of the study and impugned the motives of members of the legislature who disputed its findings. It repeatedly said that it must make its decision "based solely on the record before us," an artificial but convenient standard peculiar to litigation.

A second institutional defect is that courts must isolate problems that are connected and need a comprehensive approach if they are to have any chance of being solved. Education is a broad and complicated area of public policy, which is intertwined with other broad and complicated areas of social policy. As courts look at the problems of education through the narrow lens of the legal process, their approach is inherently piecemeal.

A Radical Transformation Is Underway

If active and continuing judicial supervision of school spending were to be institutionalized, the result would be a radical—and unnecessary—revision of the American system for appropriating public funds. Judgments of courts in combination with a new industry of costing-out consultants would be substituted for the bargaining and mutual adjustment—that is, the politics—of state legislatures. Indeed, this new day has already dawned, according to a presentation that the financial consultant John Myers made to the National Association of State Budget Officers in the summer of 2005. "Historically, adequacy was determined politically using input measures and available resources," he said. "Now adequacy is technically determined and output orientated."

If money—and money alone—were all that is required to educate the nation's children, and if courts alone could provide the money, then perhaps one would be willing to entertain, if only for a fleeting moment, this constitutional departure. But then one would recall that other public functions exist, such as health, transportation, and higher education, that make large and urgent claims on the budgets of state governments; that problems other than a lack of money afflict the schools, such as students who arrive unprepared for learning or life in a classroom; and that evidence for the efficacy of money per se is at best mixed. One might then be less willing to have the core institutions of democratic government cast aside.

The adequacy movement would like to secure a foundation in federal law for its claims. This might be done by importing, via amendments to the No Child Left Behind Act, some of the rights language produced by state courts. "We want to see the issue of equity on the national agenda," Arthur E. Levine, then president of Teachers College of Columbia University, told an interviewer in 2005. Rebell has moved to Teachers College to direct its equity campaign. A West Coast branch of the movement has set up operations as the Chief Justice Earl Warren Institute on Race, Ethnicity and Diversity at the school of law at the University of California, Berkeley. One of its initial projects in 2004–05 was to convene an interdisciplinary working group called "Rethinking *Rodriguez*: Education as a Fundamental Right." The aim was to inquire into what would be required to make education a fundamental right—"that is, *a right belonging to all children, protected by an enforceable guarantee of 'adequacy' or 'equality' or both.*"

The successes of the adequacy movement in state courts thus are to be seen as stepping stones to the broader arena of national legislation and litigation. If the adequacy-cum-equity advocates succeed—wedding centralization and judicialization in a regime of a federally guaranteed right to education and federally prescribed school spending—transformation of the traditionally local and democratic governance of schools in the United States, already far advanced, will be complete.

Josh Dunn is assistant professor, the University of Colorado–Colorado Springs. Martha Derthick is professor emeritus, the University of Virginia. The unabridged version of this essay is available in Martin R. West and Paul E. Peterson, eds., School Money Trials: The Legal Pursuit of Educational Adequacy, *forthcoming from the Brookings Institution Press.*

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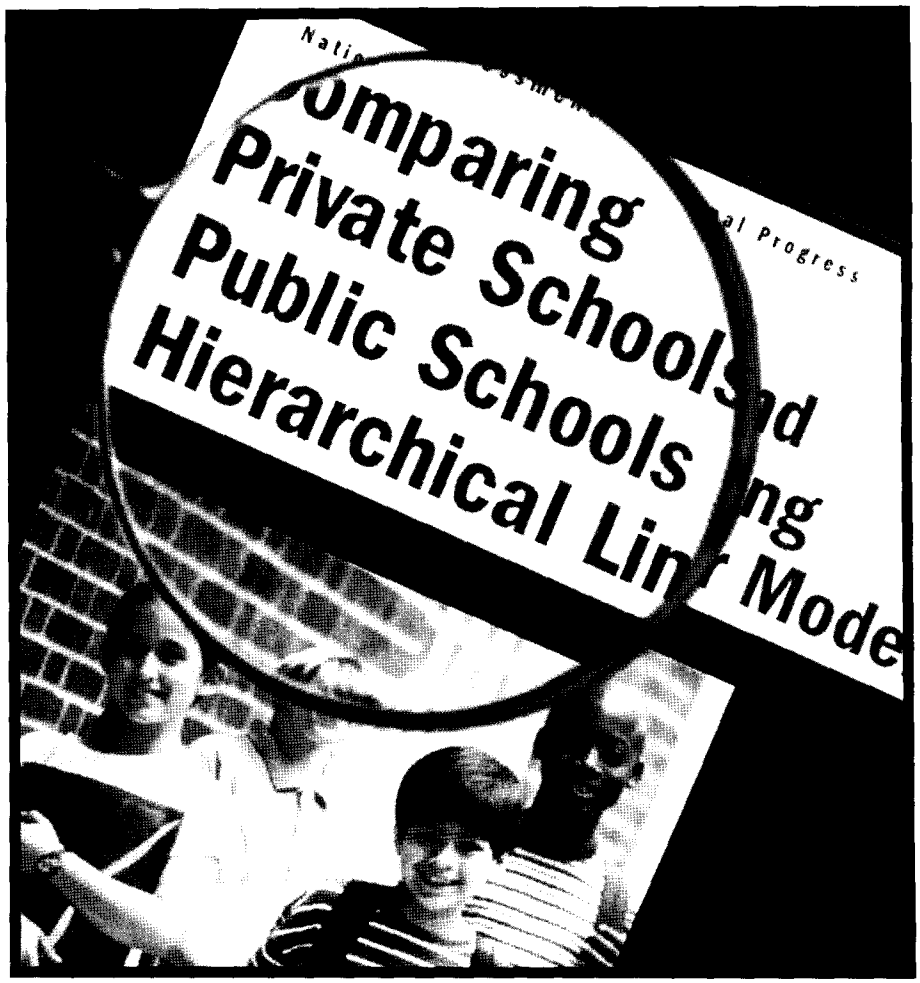
The NCES Private-Public School Study

Findings are other than they seem



Checked:
Henry Braun, Frank Jenkins, and Wendy Grigg. 2006. "Comparing Private Schools and Public Schools Using Hierarchical Linear Modeling," U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, NCES 2006-461.

Checked by Paul E. Peterson and Elena Llaudet

On July 14, 2006, the U.S. Department of Education's National Center for Education Statistics (NCES) released a study that compared the performance in reading and math of 4th and 8th graders attending private and public schools. The study had been undertaken at the request of the NCES by the Educational Testing Service (ETS). Using information from a national sample of public and private school students collected in 2003 as part of the National Assessment of Educational Progress (NAEP), ETS compared the test scores of public school students with those of students in all private schools, taken together. Separately, it compared student performance in public schools with that in Catholic, Lutheran, and evangelical Protestant schools.

According to the NCES study, students attending private schools performed better than students attending public schools. But after statistical adjustments were made for student characteristics, the private school advantage among 4th graders disappeared, giving way to a 4.5-point public school advantage in math and parity between the sectors in reading. After the same adjustments were made for 8th graders, private schools retained a 7-point advantage in reading but achieved only parity in math.

But, in fact, the NCES study's measures of student characteristics are flawed. Using the same data but substituting better measures of student characteristics, we estimated three alternative models that identify a private school advantage in nearly all comparisons. Similar results are found for Catholic and Lutheran schools taken separately, while evangelical Protestant schools achieve parity with public schools in math and have an advantage in reading (see Figure 1).

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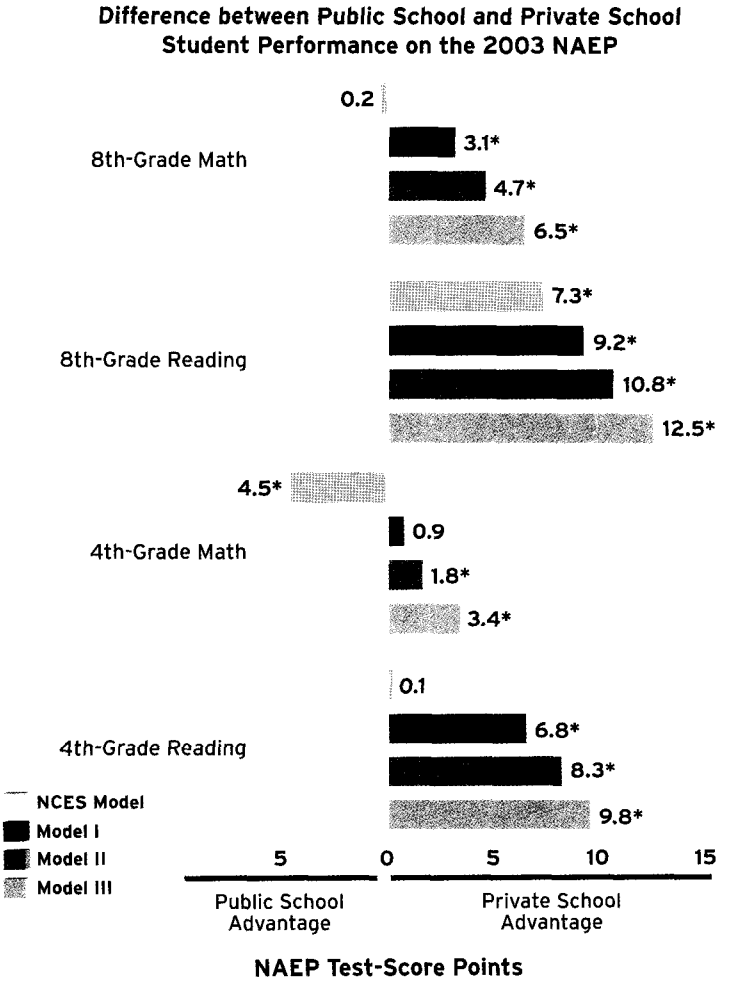
Public vs. Private (Figure 1)

The National Center for Education Statistics (NCES) study reported that public schools did as well as or better than private schools on three of the four National Assessment of Educational Progress (NAEP) tests. Our alternative models, which use better measures to adjust for student characteristics, find a consistent private-school advantage across the tests.



* Statistically significant at the 0.01 level

SOURCE: Authors' calculations from NAEP data

The results from our alternative models should not be understood as evidence that private schools outperform public schools. Without information on prior student achievement, one cannot make judgments about schools' efficacy in raising student test scores. Thus, NAEP data cannot be used to compare the performance of private and public schools. However, our results clearly reveal the shortcomings of the NCES study—shortcomings so deep-seated that their purported findings lack credibility. In fact, in view of the criticisms received, NCES is reconsidering the propriety of its involvement in studies of this sort. "This is not what we should be doing.... Our job is to collect the data and get it out the door," said Mark Schneider, the commissioner of NCES, in a recent interview with *Education Week*.

Problems with the NCES Model

The NCES analysis is at serious risk of having produced biased estimates of the performance of public and private schools. The study's adjustment for student characteristics suffered from two sorts of problems: a) inconsistent classification of student characteristics across sectors, and b) inclusion of student characteristics open to school influence.

Classification Bias

To avoid bias, classification must be consistent for both groups under study. The NCES study repeatedly violates this rule when it infers a student's background from his or her participation in federal programs intended to serve disadvantaged students. Public and private school officials have quite different obligations and incentives to classify students as participants in these federal programs: a) the Title I program for disadvantaged students; b) the free and reduced-price lunch programs; c) programs for those classified as Limited English Proficient (LEP); and d) special education, as indicated by having an Individualized Education Program (IEP). As a result, NCES undercounted the incidence of disadvantage in the private sector and overcounted its incidence in the public sector.

Title I. If a public school has a schoolwide Title I program, which is permitted if 40 percent of its students are eligible for free or reduced-price lunch, then every student at the school—

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regardless of poverty level—is said to be a recipient of Title I services. By contrast, private schools cannot directly receive Title I funds nor can they operate Title I programs. Instead, private schools must negotiate arrangements with local public school districts, which then provide Title I services to eligible students. Many private schools lack the administrative capacity to handle these complex negotiations or do not wish to make available services that they will not administer, making private school participation haphazard. In the 2003–04 school year, only 19 percent of private schools were reported by the U.S. Department of Education (DOE) to participate in Title I, compared to 54 percent of public schools.

Free Lunch. Access to free or reduced-price lunch is also an imperfect indicator of a student's family income. According to official DOE statistics, nearly 96 percent of public schools participated in the National School Lunch Program in the 2003–04 school year, while only 24 percent of private schools did so. The disparities are explained in part by the greater administrative challenges the private sector faces, not just by differences in the neediness of the children it serves. The administration of the school lunch program is generally organized within the central office of each school district so that local schools are buffered from the responsibility of dealing with state officials. Private schools that seek to participate in the program usually must work directly with the state department of education, and many appear to have concluded that the burden of compliance with federal regulations governing the program outweighs any benefits low-income children might receive. Furthermore, as many as one-fifth of the public school students participating in the free lunch program may not be in fact eligible, a Department of Agriculture study has shown.

In short, using these two variables as indicators of family background undercounts the incidence of poverty among students in private schools and overcounts its incidence in public schools. In the alternative models discussed below, we employ two other indicators of family background that are less at risk of classification bias. The first, parental education, is well known to be a particularly appropriate control variable, as other studies have shown that it is the background variable most highly correlated with student achievement. Based on this indicator, 69 percent of 4th graders in public schools had parents with a college education, compared to 85 percent of those in the private school sector. The second indicator, region of the country in which the school is located, as well as its rural, urban, or suburban location, is also appropriate inasmuch as student performance is known to vary significantly by locality. Private schools are located disproportionately in central cities and in the Northeast.

NCES undercounted the incidence of disadvantage in the private sector and overcounted its incidence in the public sector.

Limited English Proficient (LEP). Eleven percent of the 4th graders in public schools were classified as Limited English Proficient "according to school records," while only 1 percent of private school 4th graders were so classified. Among 8th graders, the percentages were 6 and 0 percent, respectively. While LEP was used by NCES as the indicator of students' language skills, other information in the NAEP data suggests that sector differences in language background are not that extreme. When 4th graders themselves were asked how often a language other than English was spoken at home, 18 percent in the public sector replied "all or most of the time" as did 12 percent in the private sector. Also, the percentage of students in the public sector who were Hispanic was 19 percent, while it was 9 percent in the private sector. The percentage of students who were Asian was approximately the same in the two sectors.

To avoid undercounting those students in the private sector with language difficulties, we substitute for the LEP indicator the students' own reports of the frequency that a language other than English was spoken in their home. While students may not always accurately report this information, there is no reason to expect errors to vary systematically by school sector.

Special Education. Fourteen percent of the public school 4th graders were reported to have an Individualized Education Program (IEP), while only 4 percent of 4th-grade students in private schools had an IEP. Among 8th graders, the percentages were 14 and 3, respectively. The NCES study assumes that these differences accurately describe

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the incidence of disability in the public and private sector. However, public schools must, by law, provide students with an IEP if it is determined that the student has a disability, while private schools have no such legal obligation. In addition, public schools receive extra state and federal funding for students so identified. Although some private schools also receive financial support for IEP students, the administrative costs of classifying students may dissuade private officials from seeking that aid unless disabilities are severe.

IEP participation may thus undercount the incidence of disability within the private sector. As a substitute for IEP, we use an indicator of whether the student received an IEP because of a severe or moderate disability. Six percent of the 4th graders in public schools were identified as having a severe or moderate disability while only 1 percent of those in the private sector were so identified.

Student Characteristics Open to School Influence

Characteristics influenced by the school the students are attending will bias estimates if they are included in statistical adjustments for student background. Three variables open to school influence were included in the NCES analysis: a) the student's absenteeism rate; b) number of books in the student's home; and c) availability of a computer in the student's home. NCES assumed absenteeism to be solely a function of a student's background; yet, it is not unreasonable to believe that schools have an effect on students' attendance records. In the same way, school policies—school requirements, homework, and conferences with parents, for example—can affect what is available in students' homes. In the third alternative model, we eliminate these variables.

Characteristics influenced by the school the students are attending will bias estimates if they are included in statistical adjustments for student background.

Results from the Alternative Models

In order to check the sensitivity of NCES results to the particular methodology that was employed, we first replicated the results from the NCES study's primary model. With that accomplished, it was possible to identify the consequences of relaxing the questionable assumptions that underpinned the NCES model.

Figure 1 reports the original NCES results for public and private schools (both sectors taken as a whole), and then those from the three alternative models. These models gradually exclude the NCES variables that suffered from the biases discussed above, replacing them with better measures of student characteristics. Alternative Model I substitutes parents' education and the location of the school for the Title I and Free Lunch variables in the NCES study. In addition, Model II replaces the LEP indicator with student reports of the frequency with which a language other than English is spoken at home and replaces the IEP indicator with teacher reports of whether the child was given an IEP because of a profound or moderate disability. Finally, Model III, while keeping the other improvements, eliminates the absenteeism, computer, and books-in-the-home variables, thereby avoiding the inclusion of student characteristics that can be influenced by the school. Some may think that Model III does not include sufficient indicators of the student's family background. Those for whom this is a concern should place greater weight on Model II.

The number of observations under study drops significantly when moving from the NCES model to Model I, in part because many students did not report the level of education their parents had attained. To ascertain whether results were influenced by the change in the size of the sample under analysis, we ran the NCES model on the same sample of observations as used in Model I. The results were reassuring, as the estimated coefficients of the effect of the private sector as a whole were never more than half a point away from those obtained from the whole sample.

According to the alternative models, in 8th-grade math, the private school advantage varies between 3 and 6.5 test points; in reading, it varies between 9 and 12.5 points. Among 4th graders in math, parity is observed in one model, but private schools outperform public schools by 2 and 3 points in the other two models; in 4th-grade reading, private schools have an advantage that ranges from 7 to 10 points.

The results for Catholic schools using the alternative models are very similar to those of the private sector as a whole. Lutheran schools are estimated

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to have a larger advantage in math and a similar one in reading when compared to the results of the private sector taken together. And evangelical Protestant schools are found to perform at a similar level to public schools in math but at a higher level in reading. Detailed results for these separate categories of private schools are available at www.educationnext.org.

Summing Up

Let us be clear. We do not offer our results as evidence that private schools outperform public schools but rather as a demonstration of the dependence of the NCES results on questionable analytic decisions. Although the alternative models are an improvement on the NCES analysis, no conclusions should be drawn about causal relationships from these or any other results based on snapshot NAEP test scores.

Asked by *Education Week* to comment on our findings, the lead author of the NCES report freely acknowledged the problems with some of the variables used in the NCES analysis, but asserted that our alternative models may be "underadjusting for the disadvantage in the public sector" because we do not control separately for mothers' and fathers' education. While this is desirable in principle, in practice it would have significantly reduced the number of observations available to use as fewer than half of the 4th graders, for example, reported the educational attainment of both parents. Despite this limitation, our main conclusion still stands: NAEP data are too fragile to be used to measure the relative effectiveness of public and private schools. Making judgments about causality based on observations at one point in time is highly problematic, so much so that it is surprising that NCES commissioned a study to analyze the NAEP data set for this purpose.

Fortunately, the practice seems to have come to an end. Commissioner Schneider has stated that his agency should not have initiated the study and NCES will in the future refrain from analyses of the raw data that it collects. Let's hope that private researchers also exercise responsibility by not using NAEP data for purposes for which they are clearly not suited.

Paul E. Peterson is professor of government at Harvard University and a senior fellow at the Hoover Institution. He serves as editor-in-chief of Education Next. *Elena Llaudet is a research associate in the Harvard Department of Government, where she is pursuing her Ph.D.*

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The Triumph of Look-Say

Dumbing-down reading instruction

Let's Kill Dick & Jane: How the Open Court Publishing Company Fought the Culture of American Education

By Harold Henderson

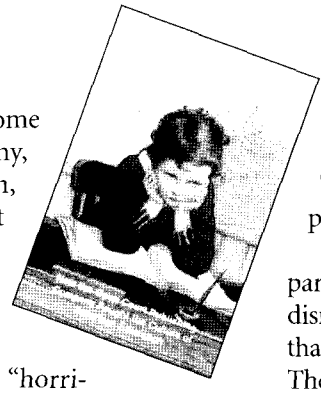
St. Augustine's Press, 2006, $26.00; 168 pages.

As reviewed by Diane Ravitch

This book tells the story of Blouke Carus's heroic but ultimately unsuccessful attempt to reform American education. Carus founded the Open Court Publishing Company in 1962 with two aims that did not seem to be at all contradictory: first, to teach children to read, and second, to do so while introducing them to classic children's literature.

Carus was an engineer, not a professional educator, which may explain why he thought that he could revolutionize the schools and overturn the publishing industry merely by creating a superior product. He proved to be hopelessly idealistic and naive, traits not usually associated with engineers. Even though his company's elementary reading textbooks achieved superior results, at best, according to this account, they garnered 2 to 3 percent of the national market for reading books. The company died struggling to find the formula that would make the Open Court readers acceptable to the nation's teachers and administrators. Few seemed to care that reading scores soared in the districts that used the books, nor did anyone notice that the contents of the books were richer and more substantive than the competition.

Carus became active in school reform activities in the 1950s, first as a parent who ran for the local school board and joined the Council for Basic Education. In 1959, he and his wife Marianne spent some time in Germany, where their son, Andre, attended 1st grade; later that year, he entered the same grade in LaSalle, Illinois. The parents were "horrified" to discover the contrast between the two schools: the boy's German textbooks contained stories and poems; his American schoolbooks were richly illustrated but had almost no text.



A few years later, while he was hospitalized for a stomach ailment, Carus read Arther Trace Jr.'s *What Ivan Knows That Johnny Doesn't*, which compared the rich content of Russian textbooks to the vacuity of Dick and Jane readers in American schools. By 4th grade, Trace wrote, the Russian children's reading vocabulary was nearly 10,000 words, while their peers in American schools had been exposed to a carefully controlled vocabulary of fewer than 1,800 words. Carus was inspired; he knew what he had to do: he would take on and break the monopoly of the dumbed-down Dick and Jane–style readers. His determination was fueled by the belief that it should be possible to "educate our masses as rigorously as Europeans do their elites ..."

At the time that Carus got his inspiration, the public schools were thoroughly infested by a deeply rooted spirit of anti-intellectualism. The life-adjustment philosophy was the reigning paradigm, which decreed that 60 percent of all students were fit for neither an academic nor a vocational education and needed to be adjusted to their lowly role in society. The dominant reading philosophy was the whole-word ("look-say") method, enshrined in the simple-minded Dick and Jane–style reading books, which taught children to memorize the shape of words through repetition and ignored phonics altogether. That was the mountain that Carus planned to climb.

Carus's wife Marianne became his partner in assembling the readers. They disregarded the controlled vocabulary that was a staple of the look-say readers. The first year, readers began with intensive phonics, then offered excellent children's stories and poems. Instead of grouping children by ability, the Open Court readers advised teaching the whole class and encouraged student chanting.

In the 1963 Open Court reader, titled *Reading Is Fun*, which was designed for the second semester of 1st grade, at least half the entries were classics, including Aesop's fables ("The Fox and the Grapes," "The Hare and the Tortoise," "The Boy Who Cried Wolf"); Mother Goose rhymes; folk tales ("The Little Red Hen," "The Gingerbread Boy," "The Three Billy Goats Gruff," "The Three Bears"), and poems (by Vachel Lindsay, Robert Louis Stevenson, and Christina Rossetti). Henderson points out that the best-selling reader published by Scott Foresman for the same grade contained only 7 folk tales out of 48 selections, and they were watered down because of restrictions on vocabulary.

Districts that tried Open Court reported outstanding success: more children were posting higher reading scores. Nonetheless, the complaints poured in from "the field": the readers were too hard; they were too different; they didn't have the worksheets that teachers expected; they didn't have the comprehension questions that teachers needed. At one point, feminists blocked their adoption in textbook hearings because they included more stories about males than females. The company spent enormous resources responding to the complaints, revising

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the reading books, hiring academic consultants, trying to reach out to a market that was entirely satisfied with the usual pap from the major publishers.

When the whole-language movement began its meteoric rise in the 1980s, Open Court was demonized because of its emphasis on phonics. When the company failed to win adoption by the state of California in 1988, which was in thrall to the whole-language faction, the outlook for Open Court was bleak indeed. In 1996, the company was sold to SRA/McGraw-Hill, which revised the books to meet the market's demands, enjoyed the right political climate, and saw the healthy sales that eluded the Carus family.

Henderson goes to great lengths to demonstrate that the Open Court readers did not deserve their reputation as "traditional" and "conservative," although they were indeed traditional and praiseworthy for their inclusion of large amounts of classic literature. And if the inclusion of excellent literature means "conservative," then there is no reason to run from the label.

Henderson tries to persuade the reader that the books should have been congenial to whole-language teachers because of their superior literature selections and should have been embraced by progressive educators because they blended the best of both approaches, including workshop activities, so-called reciprocal teaching (where the teacher and the students take turns as teacher), and other practices that were embraced by progressives. He never adequately explains why progressives did not see the obvious virtues of the Open Court readers (my guess is that any reader that paid any attention to explicit phonics was doomed in the eyes of progressives, at that period in history).

Henderson even buys the canard that the Caruses' efforts to promote "high culture" were doomed by mass enrollments, as though it were an obvious truth that the children of the poor could never appreciate classic fairy tales and myths, a rather questionable assumption. Even so, *Let's Kill Dick & Jane* is a fascinating and rather depressing read, explicating for all the world to see how an ambitious textbook series with rich content and beautiful illustrations died the death of a thousand cuts, administered by ideologues, bureaucrats, and the dumbed-down culture of American education.

Ultimately, the life and death of the original Open Court readers demonstrate that American education is a challenging environment for the industry that supplies its needs. Ralph Waldo Emerson said that if you build a better mousetrap, the world will beat a path to your door. Blouke and Marianne Carus learned that this is not true, that the market is shaped more by fads and ideology than by evidence about what works best for children.

Diane Ravitch is research professor of education, New York University, and a member of the Koret Task Force at the Hoover Institution, Stanford University.

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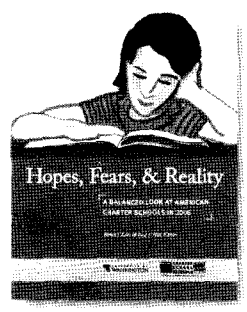

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A Balanced Look at American Charter Schools in 2006

Robin J. Lake & Paul T. Hill, Editors

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The "Crits" Capture Presidential Power

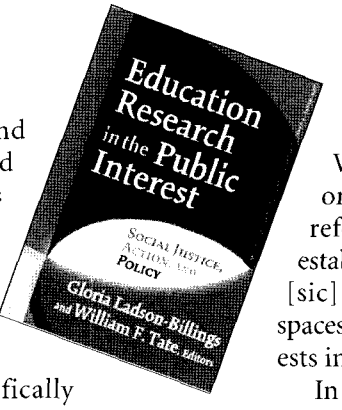
Top education researchers denounce scientific research

Education Research in the Public Interest: Social Justice, Action, and Policy

By Gloria Ladson-Billings and William F. Tate (editors)

Teachers College Press, 2006, $27.95; 274 pages.

As reviewed by Nathan Glazer


Education Research in the Public Interest
Social Justice, Action, and Policy
Gloria Ladson-Billings and William F. Tate, editors

There is not much research to be found or reported on in *Education Research in the Public Interest*: the interests of the editors and contributors are mostly elsewhere, this despite the fact that one editor is the past president of the American Educational Research Association (AERA) and the other is the president-elect. The main title, "Education Research in the Public Interest," was also the theme for the last annual convention of this important professional association, which publishes a half-dozen journals, has 20,000 members, and attracts thousands to its annual conventions. Oddly, the AERA affiliations of the two editors are not stressed in the book, although the Ladson-Billings presidency is referred to in the biographical note. This is not an "official" publication of the AERA, but does it reflect the views of its members?

Thirteen contributors were asked to respond to a prospectus that several refer to but unfortunately is not reproduced in the volume. Apparently the prospectus defined research in the public interest as "those decisions and actions that further democracy, democratic practices, equity, and social justice."

Clearly, the editors are impelled to undertake this project by the steady and depressing reality of the great gaps in educational achievement between the poor and the well-to-do, the black and the white, and similar issues, and the contributors are motivated by the same concerns. But they are also almost uniformly suspicious of scientifically based research and scientifically based assessments as the means for dealing with these large problems of unequal achievement. They are hostile to the No Child Left Behind legislation (NCLB), which calls for a great deal of scientifically based testing and assessment. They are equally critical of what they call "neoliberal" and "neoconservative" approaches to educational problems: The first appeals to the market and market-based approaches (as in vouchers and charter schools), the second to more traditional approaches to subject matter and teaching (as in E. D. Hirsch's core knowledge curriculum). Neither finds favor in their eyes.

But if we are to discard scientifically based testing and assessment, how are we to estimate the scale and character of the problem we are trying to address, or judge the success of various approaches to dealing with them? There is no answer evident here.

One contributor (Thomas S. Popkewitz) takes the extreme standpoint of contemporary "critical theory," which is suspicious of mainline science in almost all fields. Following Foucault, he views established science as an expression of power relations. He attacks what he calls the "censorship" in NCLB. Censorship? "That censorship lies in the federal mandate that the methods for studying the effects of school reform be evidence-based and scientifically based inquiry. At first glance, the phrase is seductive. Who could be against evidence or science to understand school reforms? But ... the practices to establish what counts as 'data' carries [sic] a strong threat to the public spaces in which the issues of and interests in a democracy are clarified."

In a long article I find no clarification of just how this threat against "public spaces" in the research called for in NCLB operates, and nothing that sustains the charge of "censorship."

If one is against "evidence-based and scientifically based inquiry," what research model is one for? Three of the contributors to this volume (William Ayers, Tom Barone, and Donald Blumenfeld-Jones) advocate the use of the humanities and the arts as guides to research, or substitutes for it, or as inspirers of themes for research. There can be no argument with the notion that research should be broadly based, and that suggestions derived from literature, the arts, and the humanities as to what to look for, and what might be important, should not be neglected.

But "arts-based research"? Could a poem on the circumstances of deprived children or a documentary movie on the condition of homeless youths in New Orleans qualify as research in support of one or another education program? Blumenfeld-Jones, who is taken by a film on homeless youths, *Street Rat*, writes, "I am obliged to report that I have, up to this point in the relatively short history of the genre, not been privy to a completely unblemished work of arts-based research, one sufficiently powerful, by itself, to redirect the educational conversation...."

One criticism found in a number of the contributions is that research must take a wider perspective than the school

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and the classroom: it must be research on the society and its iniquities, for these clearly lie at the basis of differential achievement in education. So Jean Anyon tells us to "document and describe oppression," "study the powerful," and concentrate on social movements, all worthy subjects of research. But is not one directed to them in the first place by the assessments and tests that demonstrate the great inequalities in achievement?

Since the contributors to this collection are so uniformly hostile to current reform initiatives, from testing and accountability to charters and vouchers and more traditional curricular emphases, it is fair to ask, what education model are they for? The only possible answer one finds in this volume is the system we already have, which largely fails to educate poor and black children. The contributors are suspicious of charters and vouchers because they undermine, as they see it, the existing public schools. None of the contributors are, as far as one can see from their affiliations, representatives of unionized public school teachers and administrators, but what they have written is in full support of the status quo: they seem to prefer it to any alternate proposals.

There are alternatives that could have been discussed: Some education reformers insist that student portfolios are a better basis for assessing student learning than standardized tests, and researchers using ethnographic methods sometimes come up with insights that we do not find in standard statistically based research. It would have been worth evaluating these.

This book could have gone deeper into the kind of research that NCLB and other legislation require, how the legislative language on required research and assessment was derived, how it is being interpreted and specified by the federal agencies, and the specific weaknesses in the research that passes administrative muster. Catherine Cornbleth lists the recent legislative provisions that call for scientific evaluation and assessment. But this line is not pursued further, by her or by any other contributor. A book on the dependence in reform legislation on specified research models could have been helpful; unfortunately, the hostility among the contributors to both current scientific research and current policy proposals prevents this from being that book.

One wonders how widespread this suspicion of research of high scientific standards is among the members of AERA. Not very, one thinks: otherwise, they couldn't fill their journals. And yet this volume and its publication by Teachers College Press suggest that the wave of "critical theory," which breeds an unhealthy disrespect for the best in scientific research and has for some decades now infected to various degrees all academic fields, is well established in the world of education.

Nathan Glazer is professor of education and sociology emeritus at Harvard University.

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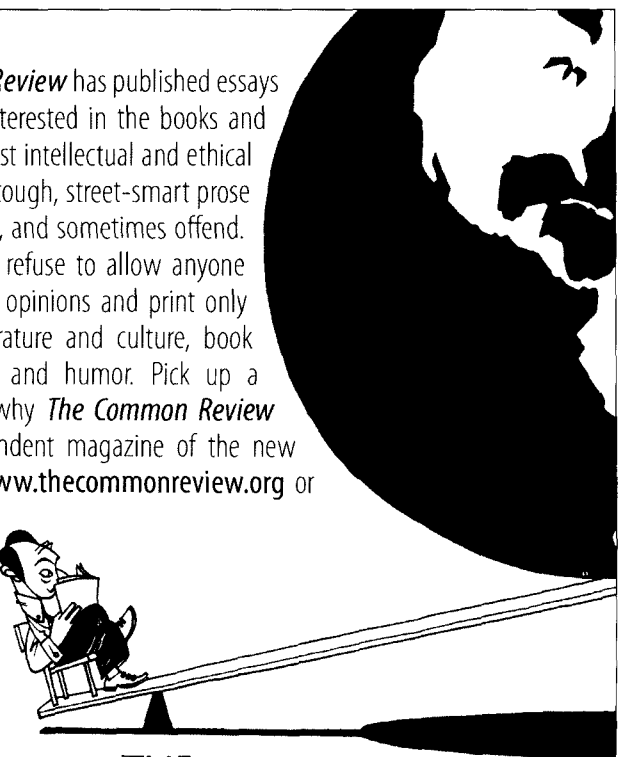

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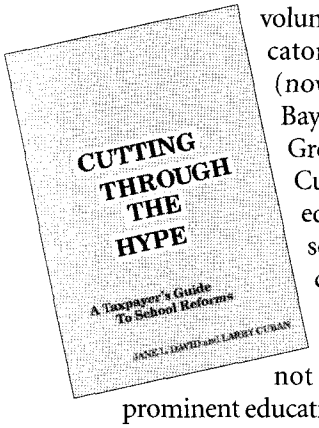
BOOK ALERT

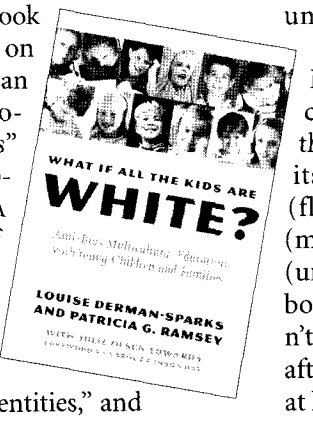
Cutting Through the Hype: A Taxpayer's Guide to School Reforms. Jane L. David and Larry Cuban (Education Week Press).

Silver bullets come not here. In this slender, readable volume, veteran educators Jane David (now head of the Bay Area Research Group) and Larry Cuban (emeritus education professor at Stanford) conduct a breakneck tour of almost—but not quite—every prominent education-reform idea of the past decade or two and say what they like and dislike about each. Clustered in three parts ("reforming the system," "reforming how schools are organized," "reforming teaching and learning"), some 20 reforms are on their itinerary. They neither fully embrace nor entirely dismiss any of them. The devil, as always, lurks in the details, and K–12 education is sufficiently complex that thoroughly reworking it calls for numerous complementary and more or less concurrent actions. Notwithstanding the promise of the book's subtitle, the authors view these reform options through the eyes of practitioners—teachers and principals, mostly—rather than those of taxpayers, policymakers, or parents. Fittingly, they also treat more kindly the change strategies that try to strengthen practitioners than they treat those that seek to alter the ground rules or power relationships of the system itself. They are cautious incrementalists, not bomb throwers or bold innovators. But they've written a useful reform primer, which seems to have been the point.



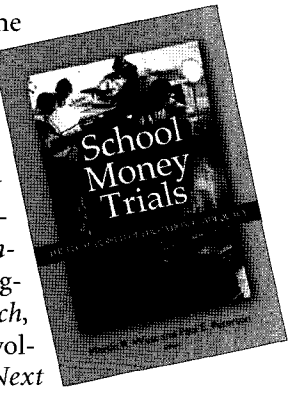
What If All the Kids Are White? Anti-Bias Multicultural Education with Young Children and Families. Louise Derman-Sparks and Patricia G. Ramsey (Teachers College Press).

Many *Education Next* readers have long wrestled with that burning educational query: "How does one promote multicultural education if all the students in a school are white?" Now, into the breach step Louise Derman-Sparks, a faculty member at Pacific Oaks College, and Patricia Ramsey, director of a child study center at Mount Holyoke College. In the introduction, the authors bravely explain that "whites often fear that they will have much to lose if racism ends," but posit that whites actually "have much to gain" if they become advocates for social justice and "anti-bias/multicultural" education. The book itself is a treatise on how educators can and should promote "anti-bias" education. Chapters include "A Short History of White Racism in the United States," "How Children Construct White Identities," and "Fostering Children's Caring and Activism." Helpful tips on "anti-bias/multicultural" teaching include bringing in speakers from other ethnic groups, taking purposive field trips, and discussing skin color and the biases of staff members. The book also includes "don't-miss" appendices like a table of "Selected White Anti-Racism Activists" and the learning exercise "What Do Trees Have to Do with Peace?" And all of this from a flagship educational press, no less.



School Money Trials: The Legal Pursuit of Educational Adequacy. Martin R. West and Paul E. Peterson, editors (Brookings Institution Press).

While high-profile reforms like No Child Left Behind and charter schools get most of the attention from scholars and the media, an alternative reform strategy has become the true 10,000-pound gorilla: the adequacy lawsuit (see "Courtroom Alchemy," *features*, p. 20, and "Judging Money," *research*, p. 68). In this crisp volume, *Education Next* editors West and Peterson have pulled together 13 compelling chapters examining the adequate-funding movement, its (evolving) legal theories, its (flimsy) evidentiary base, its (mixed) classroom impact, and its (uncertain) future. You'll finish the book wondering why the topic hasn't received proper attention before; after all, lawsuits have been filed in at least 39 states to date, with victories for the plaintiffs in 25. All-star contributors include school finance guru Eric Hanushek, teacher salary myth-slayer Michael Podgursky, and constitutional scholar Kenneth Starr. One of the strongest articles is from



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Robert Costrell, who helped to defeat an adequacy lawsuit while serving as an advisor in the Massachusetts governor's office. The Bay State's secret? Its aggressive school reforms are boosting student achievement, demonstrating to the courts that its funding is plenty adequate, thank you very much. Still, do we really want the judiciary making these sorts of judgments? If there's a backlash coming, this book might serve as its guiding star.

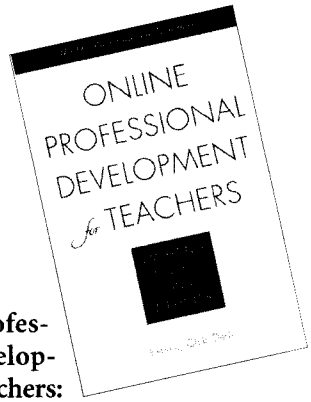
Courting Failure: How School Finance Lawsuits Exploit Judges' Good Intentions and Harm Our Children. Eric A. Hanushek, editor (Hoover Institution Press).

Reforming Education in Florida: Recommendations from the Koret Task Force. Paul E. Peterson, editor (Hoover Institution Press).

The prolific Koret Task Force on K–12 Education at the Hoover Institution is at it again. Hot on the heels of *Charter Schools against the Odds*, edited by Paul Hill, to which readers were alerted in the last issue of *Education Next*, come two new books, one (*Courting Failure*) published as the first in a series of *Education Next* Books. (Members of the Koret Task Force serve on the editorial board of *Education Next.*)

Courting Failure includes nine chapters that present "data points" on school finance lawsuits—demonstrating that court rulings show little relationship to the provisions of state constitutions, that plaintiffs are unable to link resource shortfalls to achievement differences, that enormous infusions of resources don't achieve their purpose, and so on. The volume concludes with a policy statement from the Koret Task Force: attaining the education outcomes we want "will take more fundamental changes than simply throwing more resources at the problem," changes like a strong accountability system, incentives aligned with performance, and transparency in the operations and activities of schools.

In *Reforming Education in Florida*, members of the Koret Task Force put Florida's education policy under a microscope. Invited by Florida governor Jeb Bush to scrutinize the state's practices and recommend future initiatives, the authors look at many education reform policies introduced in the last eight years in the Sunshine State, including the state's accountability plan, its value-added data warehouse (which tracks individual student progress and allows the state to evaluate schools based on the amount of individual student growth they produce), its alternative teacher certification and performance pay programs, its numerous school-choice proposals, and voter-initiated efforts like the state's voluntary universal pre-K program and class-size reduction initiative. The chapters are accompanied by concrete recommendations to help Florida extend its gains.



Online Professional Development for Teachers: Emerging Models and Methods. Chris Dede, editor (Harvard Education Press).

The sensible use of online and distance education is at the vanguard of today's efforts to rethink educational provision. Harvard professor Chris Dede has collected an important set of analyses to consider how online learning is being used to improve teacher quality. As Dede notes in his introduction, it is widely understood that today's professional-development programs are frequently mediocre, fragmented, and superficial. The promise of online professional development is that, if properly designed, it can provide cost-effective, tailored, "just-in-time" training. The challenge is making it work, a task that has suffered due to a lack of careful consideration of existing efforts. This volume examines ten diverse models, providing a comparative look at what's working and how these various efforts are designed. Chapters survey the existing research, what some of the leading providers look like, how online mentoring is being used, and what challenges exist. The volume doesn't probe as deeply into the evidence or into specific efforts as might be ideal, and some chapters are hobbled by clunky language, but the volume is a useful and important contribution. Dede and his colleagues close with some practical guidance for researchers and policymakers; the bottom line is that more research, experimentation, and bold thinking are essential in this realm.

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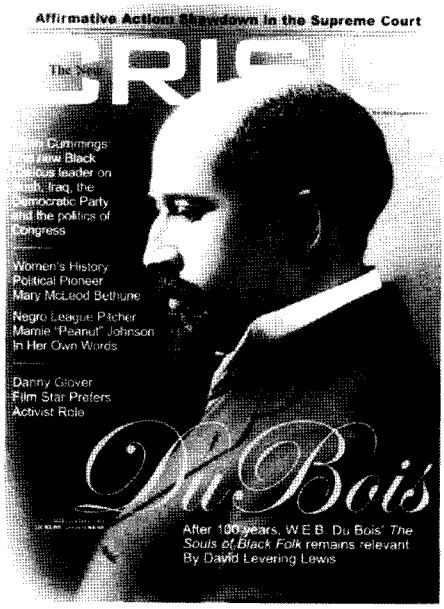
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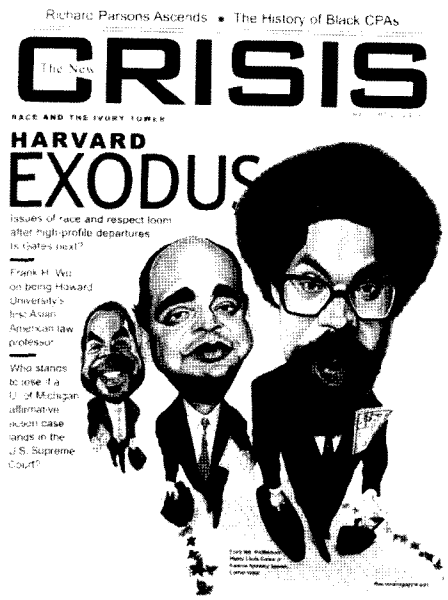

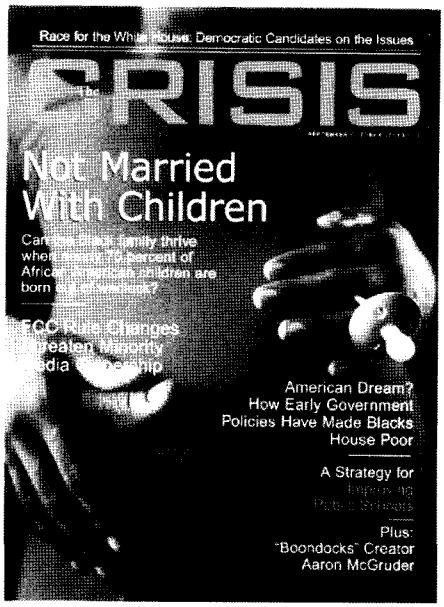
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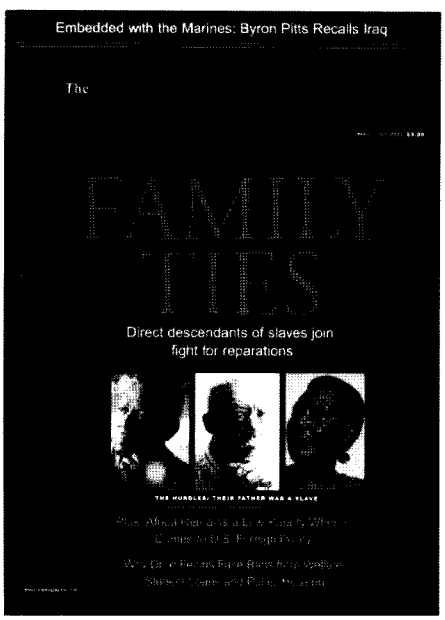
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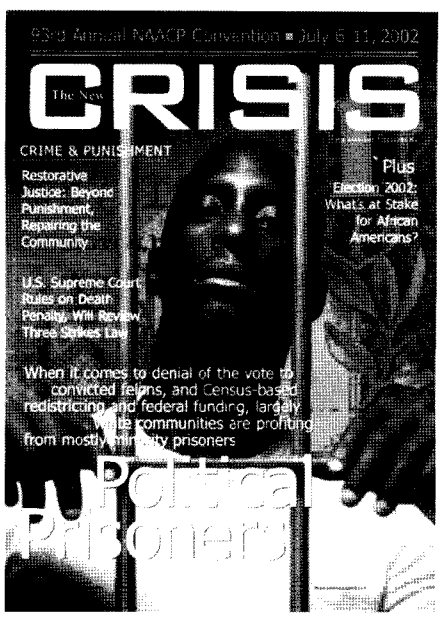
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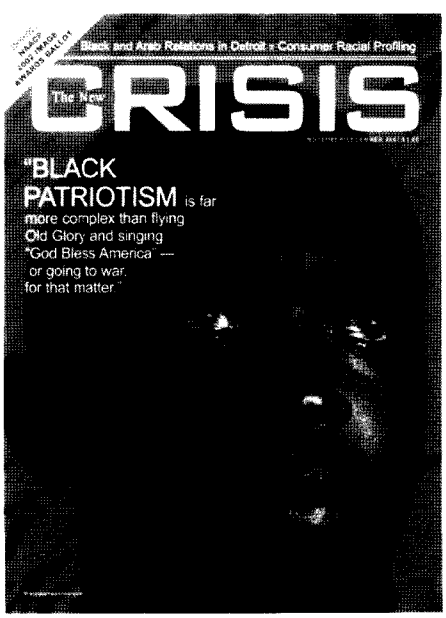
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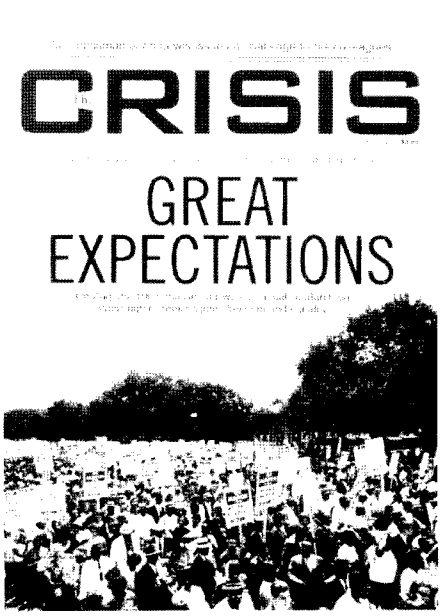

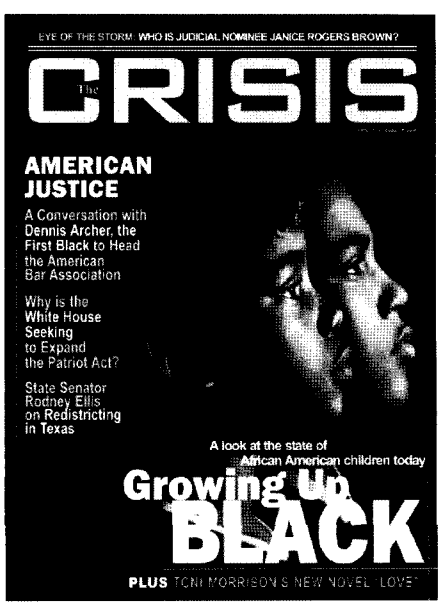
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No Business Like Show Business

Hollywood and Hip-Hop Discover Charter Schools

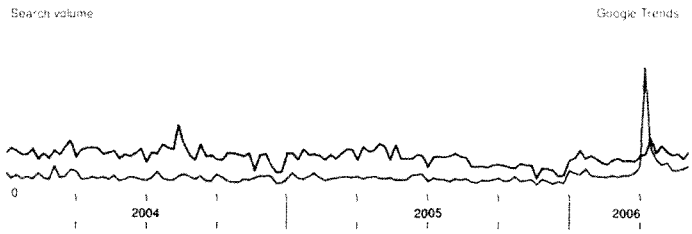
BY MICHAEL J. PETRILLI

Hollywood and hip-hop have discovered charter schools. In June, A-list stars including Beyoncé, Jay-Z, and Jon Stewart performed at a fundraiser for a New York City charter school sponsored by the Robin Hood Foundation, whose board includes actress Gwyneth Paltrow. Singer Alicia Keys performed last year at the Betty Shabazz International Charter School in Chicago, where actor Danny Glover has also made an appearance. Rapper 50 ("Fiddy") Cent recently helped launch a Houston charter school for Katrina victims, and actor Robin Williams, singer John Mayer, and TV's Dr. Phil McGraw aided tennis star Andre Agassi in raising money for the Nevada charter school Agassi founded.

What is the allure of charter schools for celebrities? For one, the schools need the money; a report last year from the Thomas B. Fordham Institute showed that the average charter school receives 80 cents on the dollar compared to traditional public schools.

The Oprah Effect

KIPP searches spike after founders appear on popular show



SOURCE: http://www.google.com/trends

But as nice as it is for stars to visit charter schools, the biggest payoff is when charter schools themselves become the stars. The Knowledge Is Power Program (KIPP) hit the lottery when its founders, Michael Feinberg and David Levin, appeared on the *Oprah Winfrey Show* in April.

The new Google Trends feature shows the rise in public interest following KIPP's *Oprah* debut. Google searches on "KIPP" (the top line in Figure 1) remained relatively steady throughout 2004 and 2005, and then spiked in April 2006—exactly when the *Oprah* episode aired.

The immense interest indicated by web searches translated into serious benefits for KIPP, as Steve Mancini, KIPP's spokesperson, explained. "Oprah has a large and loyal national audience. Student enrollment jumped up at many KIPP schools after Oprah's TV profile because parents saw elements of KIPP that excited them—articulate students, inspired and dedicated teachers, and a nationwide track record of results with kids." Teacher applications and volunteer offers also accelerated after the show.

Apparently it was positive print coverage that first led the *Oprah* folks to KIPP. Do news stories also translate into greater public interest, at least as measured by Internet searches? In October 2005, the *New York Times* ran a column by David Brooks that mentioned KIPP, and in June 2006 it ran a news story featuring the program. Yet, on these dates, the Google Trends data show nary a blip. And in May 2004, KIPP was featured on the CBS *Early Show*. That appearance didn't lead to much new interest, either.

What's the lesson? If charter school networks and other retail-level education reforms want to attract the attention of potential clients, teachers, or donors, nothing beats the glitz and reach of talk and entertainment shows—and no one is bigger than Oprah. News stories—in print or on the air—might occasionally pave the way for TV appearances, but their reliable value is in reaching elite audiences such as editorial writers and policymakers.

Long-term charter school success will require both growing consumer demand for individual schools and support in principle from governors and legislatures. Even if some standout charters find themselves on television, that alone is unlikely to translate into greater support for charters as a reform *idea*. Take the *Oprah* episode. Famously, no one articulated the words "charter school" on the show—the term is much too wonky for Oprah's audience. There was no spike in Google searches for "charter schools" (the bottom line in the graph) after the show aired, even though KIPP and most of the other schools featured were charters.

As long as celebrity attention brings cash and publicity to star charters like KIPP, it's all good. But hangin' with the stars is no substitute for the hard work of ed reform; Fiddy and his posse are unlikely to start rapping about better charter-school policy anytime soon.

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Reflections on the One-Room Schoolhouse

BY POLLY POPE HIRSCH

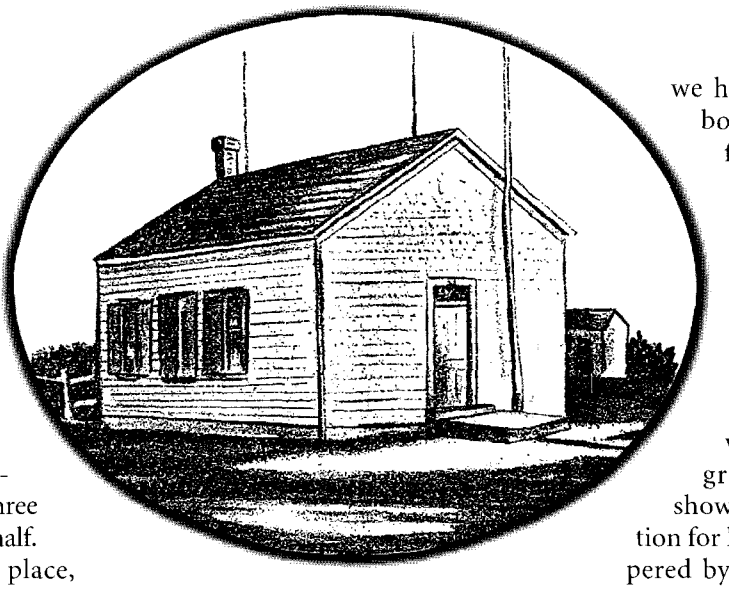
The letter reproduced below was written in 1926 by my great-grandmother, Frances E. Pope, to her grandson, my father, John C. Pope. She was born in 1840 in Standish, Maine. Her memory had been jogged back to the 1840s by a 1926 article in the *New York Times* illustrated with a line drawing of a one-room schoolhouse like the one in Maine she attended as a girl. She began her education there before she was four. Her father was on the school committee that hired the teachers and selected the curriculum.

Feb 26, 1926

Dear John:

The illustration enclosed is from the [New York] Times account of the National Teachers Association which has been meeting in Washington as represented by School Superintendents. It is an exact reproduction of the institution in which I learned the three R's up to the age of nine and a half.

The door was in the same place, opening into a vestibule or entry, as it was then called, the width of the building. The inner door opened opposite the outer. At the right a platform, a few inches high, enthroned the teacher's desk; in the left corner was the stove. I think there were four rows of desks with seats for two pupils at each, with aisles between and along the sides. We used to choose our seatmates at the beginning of the term. For the summer term we had a woman called the "Mistress." In the winter term, which lasted through three or four months, with no cessation for holidays save Saturday afternoons, we had a "Master" because big boys attended who worked on farms in the summer. It was primitive, of course, but many an American statesman can trace his development to the "little red schoolhouse." My father was on the school committee and took pains to secure good teachers and we had some very good. One great thing was, if children showed any aptitude and ambition for learning, they were not hampered by restrictions [or] rules but could go as fast and as far as they liked, there being no grades. It was "old freedom."



From the Little Red School House of the Three R's to the Latest High School Buildings Represents a Great Step in Public School Advancement; but the Old Question of What to Teach Is More Active Today Than It Has Been for a Decade.

ILLUSTRATION COURTESY OF THE NEW YORK TIMES

If children showed any aptitude and ambition for learning, they were not hampered by restrictions [or] rules.

P.S. There were many trees around the red schoolhouse I went to—oaks and birches. From the latter the master cut the rods with which to thrash the unruly boys. In those days boys were not spoiled by "sparing the rod." When I was ten we moved to another town and I was put in a Select School for Girls whose teacher was much the worse type that Charlotte Bronte encountered.

Polly Pope Hirsch is cofounder of the Core Knowledge Foundation.

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